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House File 2465

H-8431

1 Amend House File 2465 as follows:
2 1. Page 1, after line 8 by inserting:
3 <Membership dues to a legislative organization
4 shall not be paid on behalf of the general assembly
5 or its members, including on behalf of the senate or
6 house of representatives, unless prior approval is
7 received from the service committee of the legislative
8 council. The service committee shall approve payment
9 of membership dues to a legislative organization
10 only after examination of donor lists supplied by the
11 legislative organization at the request of the service
12 committee. Such lists must identify all financial
13 donors to the organization and to any foundation
14 associated with the organization in a format designated
15 by the secretary of the senate and the chief clerk
16 of the house. The secretary of the senate and the
17 chief clerk of the house shall make the lists publicly
18 available in the same manner as personal financial
19 disclosure forms filed pursuant to section 68B.35
20 are made publicly available. If membership dues to a
21 legislative organization are paid on a biennial basis,
22 the organization shall submit a donor list to the
23 service committee each year during the two-year period.
24 Individual memberships to a legislative organization
25 shall be provided to members of the general assembly
26 on an opt-in basis.>

WESSEL-KROESCHELL of Story

ABDUL-SAMAD of Polk

BERRY of Black Hawk

COHOON of Des Moines

GAINES of Polk

GASKILL of Wapello

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HANSON of Jefferson

HEDDENS of Story

HUNTER of Polk

ISENHART of Dubuque

KAJTAZOVIC of Black Hawk

KEARNS of Lee

KELLEY of Jasper

KRESSIG of Black Hawk

LENSING of Johnson

LYKAM of Scott

MASCHER of Johnson

H. MILLER of Webster

R. OLSON of Polk



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PETERSEN of Polk

M. SMITH of Marshall

STECKMAN of Cerro Gordo

T. TAYLOR of Linn

THEDE of Scott

WENTHE of Fayette

WILLEMS of Linn

WINCKLER of Scott

WITTNEBEN of Emmet

WOLFE of Clinton



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House File 2465

H-8432

- 1 Amend House File 2465 as follows:
2 1. Page 7, by striking lines 20 through 31.
3 2. Page 8, by striking lines 25 through 29 and
4 inserting:
5 <1. a. This subsection does not apply to statewide
6 elected officials who are subject to the provisions of
7 this division requiring such officials to pay a portion
8 of health insurance premiums.>
9 3. By striking page 9, line 32, through page 10,
10 line 2.
11 4. By renumbering as necessary.

MURPHY of Dubuque



Iowa General Assembly
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House File 2375

H-8433

1 Amend House File 2375 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. **NEW SECTION. 476D.1 Definitions.**

5 As used in this chapter, unless the context
6 otherwise requires:

7 1. "*Board*" means the utilities board within the
8 utilities division of the department of commerce.

9 2. "*Dairy producer*" means any person or entity that
10 owns or operates a dairy farm or that owns cows that do
11 or are intended to produce milk.

12 3. "*Utility*" means a public utility as defined in
13 section 476.1 or, for purposes of this chapter, any
14 other person owning or operating more than one thousand
15 five hundred miles of transmission lines and associated
16 facilities in this state.

17 Sec. 2. **NEW SECTION. 476D.2 Utility inspections —**
18 **stray current or voltage.**

19 1. A dairy producer in this state that claims that
20 its dairy cows are being affected by stray current
21 or voltage shall provide written notice to a utility
22 providing electric service to the dairy producer and
23 may provide written notice to the board. The notice
24 shall include a nonbinding statement as to why the
25 dairy producer claims its dairy cows are being affected
26 by electrical energy attributable to the utility.

27 2. *a.* Within fourteen business days after receipt
28 of a notice alleging stray current or voltage by a
29 utility pursuant to subsection 1, the utility shall
30 take or arrange for the taking of measurements to
31 identify the existence and magnitude of the stray
32 current or voltage, if any. A dairy producer providing
33 notice of the claim shall permit entry onto the dairy
34 farm at dates and times mutually agreed upon by the
35 dairy producer and the utility. The utility shall
36 perform no other service or inspection on the dairy
37 farm beyond taking measurements of stray current
38 or voltage, except the utility may advise the dairy
39 producer as to recommended on-farm remedial action
40 and may perform such on-farm remedial action with the
41 permission of the dairy producer. The utility or
42 its representative shall abide by the dairy farm's
43 biosecurity protocols or, if none, generally accepted
44 biosecurity protocols in the industry, prior to entry
45 onto the dairy farm. The utility shall be provided
46 advance notice of any biosecurity protocols adopted by
47 the dairy producer.

48 *b.* A dairy producer may include with the notice
49 provided pursuant to subsection 1, or in a subsequent
50 notice, a written request for the board to take or

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1 arrange for the taking of separate and independent
2 measurements to identify the existence and magnitude
3 of stray current or voltage, if any. Such a request
4 may also be made by the utility. Measurements by the
5 board shall be taken by a representative of the board
6 directly, or by a neutral third-party expert selected
7 by the board for such purposes. A dairy producer
8 providing notice of the claim shall permit entry onto
9 the dairy farm at dates and times mutually agreed upon
10 by the dairy producer and the board, a representative
11 of the board directly, or by a neutral third-party
12 expert selected by the board for such purposes. The
13 board or a selected third-party expert shall perform
14 no other service or inspection on the dairy farm
15 beyond taking measurements of stray current or voltage,
16 except the board or third-party expert may advise the
17 dairy producer as to recommended on-farm remedial
18 action. The board or the third-party expert shall
19 abide by the dairy farm's biosecurity protocols or,
20 if none, by generally accepted biosecurity protocols
21 in the industry, prior to entry onto the dairy farm.
22 The board shall be provided advance notice of any
23 biosecurity protocols adopted by the dairy producer.
24 The board shall subsequently prepare or cause to be
25 prepared a determination of source document which shall
26 be made available to both the dairy producer and the
27 utility.

28 Sec. 3. NEW SECTION. 476D.3 Rules.

29 The board shall by rule establish procedures and
30 protocols to be used for the measurement of stray
31 current or voltage. The board shall review the rules
32 from time to time, or upon petition to the board, to
33 ensure that the procedures and protocols continue to
34 be scientifically and technologically accurate and a
35 reliable means of detecting stray current or voltage.>

IVERSON of Wright

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House File 2465

H-8434

1 Amend House File 2465 as follows:
2 1. Page 2, line 31, after <8.57E.> by inserting
3 <Except for temporary cash flow purposes, moneys in the
4 taxpayers trust fund shall only be used in accordance
5 with appropriations made for purposes of providing tax
6 relief for personal income tax reduction, homeowner
7 property tax reduction, or sales tax reduction.>

QUIRK of Chickasaw

JACOBY of Johnson



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House File 2465

H-8435

- 1 Amend House File 2465 as follows:
2 1. Page 1, by striking lines 27 through 31 and
3 inserting:
4 <3. ~~For the center for congenital and inherited~~
5 ~~disorders central registry under section 144.13A,~~
6 ~~subsection 4, paragraph "a":~~
7 \$ ~~85,560~~>
8 2. By renumbering as necessary.

PETERSEN of Polk



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House File 2464

H-8436

- 1 Amend House File 2464 as follows:
2 1. Page 12, after line 19 by inserting:
3 <DIVISION ____
4 PHARMACY RESEARCH PROJECTS
5 Sec. _____. 2011 Iowa Acts, chapter 63, section 36,
6 subsection 1, is amended to read as follows:
7 1. Notwithstanding any provision of section
8 147.107, subsection 2, or section 155A.33 to the
9 contrary, the board of pharmacy may approve a pilot
10 or demonstration research project of innovative
11 applications in the practice of pharmacy relating to
12 the authority of prescription verification and the
13 ability of a pharmacist to provide enhanced patient
14 care.>
15 2. By renumbering as necessary.

JORGENSEN of Woodbury



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House File 2337

H-8437

- 1 Amend the Senate amendment, H-8425, to House File
- 2 2337, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 2, line 23, by striking <200,000> and
- 5 inserting <400,000>
- 6 2. By renumbering as necessary.

KELLEY of Jasper

GAINES of Polk



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House File 2465

H-8438

- 1 Amend the amendment, H-8431, to House File 2465 as
- 2 follows:
- 3 1. Page 1, by striking lines 5 through 26 and
- 4 inserting <or its members.>

WAGNER of Linn



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House File 2465

H-8439

1 Amend House File 2465 as follows:

2 1. Page 2, by striking lines 23 through 31 and
3 inserting:

4 <Sec. _____. Section 8.55, subsection 2, paragraph
5 a, subparagraph (2), Code Supplement 2011, is amended
6 to read as follows:

7 (2) The remainder of the excess, if any, shall be
8 transferred to the ~~general~~ invest in education trust
9 ~~fund of the state.~~

10 Sec. _____. NEW SECTION. 8.57F Invest in education
11 trust fund.

12 1. An invest in education trust fund is created.
13 The fund shall be separate from the general fund of
14 the state and the balance in the fund shall not be
15 considered part of the balance of the general fund of
16 the state. The moneys credited to the fund are not
17 subject to section 8.33 and shall not be transferred,
18 used, obligated, appropriated, or otherwise encumbered
19 except as provided in this section.

20 2. Moneys in the invest in education trust fund
21 shall only be used pursuant to appropriations made by
22 the general assembly to support the education of Iowans
23 from early childhood through postsecondary education
24 levels. Moneys appropriated from the fund for a
25 purpose that receives an existing state appropriation
26 shall only be used to supplement and not to supplant
27 the existing state appropriation.

28 3. a. Moneys in the invest in education trust fund
29 may be used for cash flow purposes during a fiscal year
30 provided that any moneys so allocated are returned to
31 the fund by the end of that fiscal year.

32 b. Except as provided in section 8.58, the invest
33 in education Iowa trust fund shall be considered a
34 special account for the purposes of section 8.53 in
35 determining the cash position of the general fund of
36 the state for the payment of state obligations.

37 4. Notwithstanding section 12C.7, subsection 2,
38 interest or earnings on moneys deposited in the invest
39 in education trust fund shall be credited to the fund.>

40 2. Page 5, by striking lines 11 and 12 and
41 inserting:

42 <1. The section of this Act amending section 8.55.

43 2. The section of this Act enacting section 8.57F.>

44 3. By renumbering as necessary.

WINCKLER of Scott

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BERRY of Black Hawk

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HEDDENS of Story

HUNTER of Polk

ISENHART of Dubuque

JACOBY of Johnson

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KRESSIG of Black Hawk

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H. MILLER of Webster

MUHLBAUER of Crawford

OLDSON of Polk

R. OLSON of Polk

T. OLSON of Linn

PETERSEN of Polk

STECKMAN of Cerro Gordo

T. TAYLOR of Linn

THEDE of Scott



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WENTHE of Fayette

WESSEL-KROESCHELL of Story

WILLEMS of Linn

WITTNEBEN of Emmet



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House File 2465

H-8440

1 Amend House File 2465 as follows:

2 1. Page 11, after line 22 by inserting:

3 <Sec. _____. Section 135.156E, subsection 1,
4 paragraph b, if enacted by 2012 Iowa Acts, Senate File
5 2318, section 14, is amended to read as follows:
6 b. Require authentication controls to verify the
7 ~~identify identity~~ and role of the participant using the
8 Iowa health information network.>

9 2. Page 13, after line 31 by inserting:

10 <Sec. _____. Section 161A.63, Code 2011, as amended
11 by 2012 Iowa Acts, Senate File 2311, section 16, if
12 enacted, is amended to read as follows:

13 **161A.63 Right of purchaser of agricultural land to**
14 **obtain information.**

15 A prospective purchaser of an interest in
16 agricultural land located in this state is entitled
17 to obtain from the seller, or from the office of the
18 soil and water conservation district in which the land
19 is located, a copy of the most recently updated farm
20 unit soil conservation plan, developed pursuant to
21 section 161A.62, subsection 2, which ~~are~~ is applicable
22 to the agricultural land proposed to be purchased. A
23 prospective purchaser of an interest in agricultural
24 land located in this state is entitled to obtain
25 additional copies of ~~either or both~~ of the ~~documents~~
26 document referred to in this section from the office of
27 the soil and water conservation district in which the
28 land is located, promptly upon request, at a fee not to
29 exceed the cost of reproducing them. All persons who
30 identify themselves to the commissioners or staff of
31 a soil and water conservation district as prospective
32 purchasers of agricultural land in the district shall
33 be given information, prepared in accordance with
34 rules of the department, which clearly explains the
35 provisions of section 161A.76.

36 Sec. _____. Section 203C.14, Code 2011, as amended
37 by 2012 Iowa Acts, Senate File 2311, section 107, if
38 enacted, is amended to read as follows:

39 **203C.14 Suit — claims — notice of revocation.**

40 1. A person injured by the breach of an obligation
41 of a warehouse operator, for the performance of which a
42 bond on agricultural products other than bulk grain, a
43 deficiency bond, or an irrevocable letter of credit has
44 been given under any of the provisions of this chapter,
45 may sue on the bond on agricultural products other than
46 bulk grain, deficiency bond, or irrevocable letter of
47 credit in the person's own name in a court of competent
48 jurisdiction to recover any damages the person has
49 sustained by reason of the breach.

50 2. a. Upon the cessation of a warehouse operator's

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1 license due to revocation, cancellation, or expiration,
2 a claim against the warehouse operator arising
3 under this chapter shall be made in writing with
4 the warehouse operator, with the issuer of a bond
5 on agricultural products other than bulk grain, a
6 deficiency bond, or an irrevocable letter of credit,
7 and, if the claim relates to bulk grain, with the
8 department. The claim must be made within one hundred
9 twenty days after the cessation of the license. The
10 failure to make a timely claim relieves the issuer
11 and, if the claim relates to bulk grain, the grain
12 depositors and sellers indemnity fund provided in
13 chapter 203D of all obligations to the claimant.

14 ~~3.~~ b. Upon revocation of a warehouse license, the
15 department shall cause notice of the revocation to be
16 published once each week for two consecutive weeks
17 in a newspaper of general circulation in each of the
18 counties in which the licensee maintains a business
19 location and in a newspaper of general circulation
20 within the state. The notice shall state the name and
21 address of the warehouse operator and the effective
22 date of revocation. The notice shall also state that
23 any claims against the warehouse operator shall be made
24 in writing and sent by ordinary mail to the warehouse
25 operator, to the issuer of a bond on agricultural
26 products other than bulk grain, deficiency bond, or an
27 irrevocable letter of credit, and to the department
28 within one hundred twenty days after revocation, and
29 the notice shall state that the failure to make a
30 timely claim does not relieve the warehouse operator
31 from liability to the claimant.

32 c. This ~~paragraph~~ subsection does not apply if
33 a receiver is appointed as provided in this chapter
34 pursuant to a petition which is filed by the department
35 prior to the expiration of one hundred twenty days
36 after ~~revocation, termination, or cancellation~~
37 ~~cessation of the license.~~

38 3. Page 15, after line 18 by inserting:
39 <Sec. _____. Section 326.3, subsection 19, if enacted
40 by 2012 Iowa Acts, Senate File 2216, section 19, is
41 amended to read as follows:

42 19. "Operational records" means source documents
43 that evidence distance traveled by a fleet in each
44 member jurisdiction, such as ~~fuel~~ fuel reports, trip
45 sheets, and driver logs, including those which may
46 be generated through on-board devices and maintained
47 electronically, as required by the audit procedures
48 manual.

49 Sec. _____. Section 418.4, subsection 1, paragraph b,
50 if enacted by 2012 Iowa Acts, Senate File 2217, section

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1 5, is amended to read as follows:
2 **b.** A governmental entity as defined in section
3 418.1, subsection 4, paragraph “c”, shall have the
4 power to construct, acquire, own, repair, improve,
5 operate, and maintain a project, may sue and be sued,
6 contract, and acquire and hold real and personal
7 property, subject to the limitation in paragraph “c”,
8 and shall have such other powers as may be included in
9 the chapter 28E agreement. Such a governmental entity
10 may contract with a city or the county participating in
11 the chapter 28E agreement to perform any governmental
12 service, activity, or undertaking that the city or
13 county is authorized by law to perform, including but
14 not limited to contracts for administrative services.
15 **Sec. ____.** Section 418.5, subsection 7, if enacted
16 by 2012 Iowa Acts, Senate File 2217, section 6, is
17 amended to read as follows:
18 **7.** A majority of the ~~board~~ voting members
19 constitutes a quorum.
20 **Sec. ____.** Section 418.9, subsection 2, paragraph g,
21 if enacted by 2012 Iowa Acts, Senate File 2217, section
22 10, is amended to read as follows:
23 **g.** Whether the project plan is consistent with
24 the applicable comprehensive, ~~countywide~~ emergency
25 operations plan in effect and other applicable local
26 hazard mitigation plans.
27 **Sec. ____.** Section 504.719, subsection 3, as enacted
28 by 2012 Iowa Acts, Senate File 2260, section 8, is
29 amended to read as follows:
30 **3.** An inspector may, but is not required to, be a
31 director, ~~member of a designated body~~, member, officer,
32 or employee of the corporation. A person who is a
33 candidate for an office to be filled at the meeting
34 shall not be an inspector at that meeting.>
35 **4.** Page 17, after line 29 by inserting:
36 <Sec. _____. EFFECTIVE UPON ENACTMENT. The section
37 of this division of this Act amending section 135.156E,
38 subsection 1, paragraph b, being deemed of immediate
39 importance, takes effect upon enactment.
40 **Sec. ____.** RETROACTIVE APPLICABILITY. The section
41 of this division of this Act amending section 135.156E,
42 subsection 1, paragraph b, applies retroactively to the
43 effective date of 2012 Iowa Acts, Senate File 2318.>
44 **5.** Page 18, after line 2 by inserting:
45 <Sec. _____. EFFECTIVE UPON ENACTMENT. The sections
46 of this division of this Act amending section 418.4,
47 subsection 1, paragraph b, section 418.5, subsection
48 7, and section 418.9, subsection 2, paragraph g,
49 being deemed of immediate importance, take effect upon
50 enactment.

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1 Sec. _____. RETROACTIVE APPLICABILITY. The sections
2 of this division of this Act amending section 418.4,
3 subsection 1, paragraph b, section 418.5, subsection
4 7, and section 418.9, subsection 2, paragraph g, apply
5 retroactively to the effective date of 2012 Iowa Acts,
6 Senate File 2217.>
7 6. By renumbering as necessary.

WAGNER of Linn



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House File 2465

H-8441

- 1 Amend House File 2465 as follows:
- 2 1. By striking page 5, line 13, through page 7,
- 3 line 16.
- 4 2. By renumbering as necessary.

WAGNER of Linn



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House File 2465

H-8442

1 Amend House File 2465 as follows:
2 1. Page 2, after line 22 by inserting:
3 <Sec. ____ NATIONAL DEFENSE. Notwithstanding
4 any provision of law to the contrary, an agency or
5 political subdivision of the state, a state employee
6 acting in an official capacity, and any member of the
7 Iowa national guard when serving on official state
8 duty, shall not engage in any activity that aids an
9 agency of or the armed forces of the United States
10 in the execution of 50 U.S.C. § 1541, as provided by
11 the National Defense Authorization Act for Fiscal
12 Year 2012, Pub. L. No. 112-81, in the investigation,
13 prosecution, or detainment of any citizen of the United
14 States in violation of Article I, sections 8, 9, and 10
15 of the Constitution of the State of Iowa.>
16 2. By renumbering as necessary.

ALONS of Sioux

WATTS of Dallas

SHAW of Pocahontas

MASSIE of Warren

PEARSON of Polk



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House File 2460

H-8443

1 Amend House File 2460 as follows:
2 1. Page 1, by striking lines 23 through 28 and
3 inserting:
4 <3. a. Each county that had an urban renewal plan
5 and area in effect at any time during the most recently
6 ended fiscal year shall complete for each such urban
7 renewal plan and area and file with the department
8 of management an urban renewal report by December 1
9 following the end of such fiscal>
10 2. Page 2, line 17, by striking <5> and inserting
11 <6>
12 3. Page 2, line 19, by striking <5> and inserting
13 <6>
14 4. Page 4, line 17, by striking <management,> and
15 inserting <management>
16 5. Page 4, lines 25 and 26, by striking <tax
17 increment financing> and inserting <urban renewal>
18 6. Page 6, line 20, by striking <tax increment
19 financing> and inserting <urban renewal>
20 7. Page 7, by striking lines 1 through 6 and
21 inserting:
22 <2. a. Each city that had an urban renewal plan
23 and area in effect at any time during the most recently
24 ended fiscal year shall complete for each such urban
25 renewal plan and area and file with the department
26 of management an urban renewal report by December 1
27 following the end of such fiscal>
28 8. Page 7, line 29, by striking <5> and inserting
29 <6>
30 9. Page 7, line 31, by striking <5> and inserting
31 <6>
32 10. Page 9, line 29, by striking <management,> and
33 inserting <management>
34 11. Page 9, line 35, through page 10, line 1, by
35 striking <tax increment financing> and inserting <urban
36 renewal>
37 12. Page 11, line 2, after <county> by inserting
38 <, unless a majority of the affected taxing entities
39 in the proposed urban renewal area or existing urban
40 renewal area, as applicable, by resolution approves
41 such establishment or modification>
42 13. Page 11, line 25, before <public> by inserting
43 <first>
44 14. Page 12, line 4, before <public> by inserting
45 <first>
46 15. Page 13, line 9, by striking <that if> and
47 inserting <that if. However,>
48 16. Page 14, after line 7 by inserting:
49 <Sec. _____. Section 403.5, subsection 4, unnumbered
50 paragraph 1, Code 2011, is amended to read as follows:

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1 Following the third such hearing, the local
2 governing body may approve an urban renewal plan if it
3 finds that:>
4 17. Page 19, line 1, after <(2)> by inserting <(a)>
5 18. Page 19, by striking line 2 and inserting
6 <the contrary, and except as otherwise provided in
7 subparagraph division (b), for taxes due and payable
8 for fiscal years beginning on or after July 1,>
9 19. Page 19, by striking lines 6 through 26 and
10 inserting <January 1 used to calculate the amount of
11 taxes under section 403.19, subsection 1, and the
12 year of the assessment roll used to calculate the
13 amount of excess property taxes under section 403.19,
14 subsection 2, first exceeds fifteen years, the year of
15 the assessment roll as of January 1 that is otherwise
16 required to be used to calculate the amount of taxes
17 under section 403.19, subsection 1, shall be adjusted
18 by increasing the year of the assessment roll by two
19 assessment years. Such assessment roll so adjusted
20 shall be increased in each subsequent fiscal year by
21 two assessment years until the assessment roll as of
22 January 1 used to calculate the amount of taxes under
23 section 403.19, subsection 1, is later in time than
24 the year of the assessment roll used to calculate the
25 amount of excess property taxes under section 403.19,
26 subsection 2, at which time the urban renewal area
27 including all applicable urban renewal plans, projects,
28 and ordinances providing for a division of revenue
29 shall terminate and be of no further force and effect.>
30 20. Page 19, before line 27 by inserting:
31 <(b) A municipality may, following the filing
32 of an application for a waiver with, and approval
33 by, the department of management, extend the date
34 of termination for the urban renewal area and all
35 applicable urban renewal plans, projects, and
36 ordinances to a date after the date determined in
37 subparagraph division (a). Such an application
38 shall be filed with the department of management not
39 later than June 30, 2013, and the application shall
40 be accompanied by all information and documentation
41 required by the department. The extended termination
42 date shall be determined by the department of
43 management. However, an extended termination date
44 shall not be later than a date determined by the
45 department of management to be necessary for the
46 municipality to pay and retire those loans, advances,
47 bonds, or indebtedness, or portions thereof, incurred
48 or issued before the effective date of this Act that
49 qualify for payment from the special fund created
50 in section 403.19, and by the terms of such loans,

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1 advances, bonds, or indebtedness are required to
2 be paid or retired after the date determined in
3 subparagraph division (a). If the department of
4 management approves a waiver under this subparagraph
5 division (b), all moneys deposited into the special
6 fund of the municipality after the date determined in
7 subparagraph division (a), shall be used solely for
8 the purpose of retiring such loans, advances, bonds,
9 or indebtedness. During the period of the extension,
10 property taxes collected under section 403.19,
11 subsection 2, in excess of the amount necessary under
12 the conditions of the extension shall be allocated and
13 when collected paid into the funds for the respective
14 taxing districts in the same manner as taxes on all
15 other property.>
16 21. Page 19, after line 28 by inserting:
17 <Sec. _____. Section 403.19, subsection 1, paragraph
18 a, Code Supplement 2011, is amended to read as follows:
19 a. Unless otherwise provided in this section, that
20 portion of the taxes which would be produced by the
21 rate at which the tax is levied each year by or for
22 each of the taxing districts upon the total sum of the
23 assessed value of the taxable property in the urban
24 renewal area, as shown on the assessment roll as of
25 January 1 of the calendar year preceding the first
26 calendar year in which the municipality certifies
27 to the county auditor the amount of loans, advances,
28 indebtedness, or bonds payable from the division of
29 property tax revenue, or on the assessment roll last
30 equalized prior to the date of initial adoption of
31 the urban renewal plan if the plan was adopted prior
32 to July 1, 1972, and the ordinance providing for the
33 division of revenue was adopted before the effective
34 date of this Act, shall be allocated to and when
35 collected be paid into the fund for the respective
36 taxing district as taxes by or for the taxing district
37 into which all other property taxes are paid. However,
38 the municipality may choose to divide that portion
39 of the taxes which would be produced by levying the
40 municipality's portion of the total tax rate levied
41 by or for the municipality upon the total sum of
42 the assessed value of the taxable property in the
43 urban renewal area, as shown on the assessment roll
44 as of January 1 of the calendar year preceding the
45 effective date of the ordinance and if the municipality
46 so chooses, an affected taxing entity may allow a
47 municipality to divide that portion of the taxes
48 which would be produced by levying the affected taxing
49 district's portion of the total tax rate levied by or
50 for the affected taxing entity upon the total sum of

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1 the assessed value of the taxable property in the urban
2 renewal area, as shown on the assessment roll as of
3 January 1 of the calendar year preceding the effective
4 date of the ordinance. This choice to divide a portion
5 of the taxes shall not be construed to change the
6 effective date of the division of property tax revenue
7 with respect to an urban renewal plan in existence on
8 July 1, 1994.>

9 22. By striking page 19, line 31, through page 20,
10 line 3, and inserting:

11 <NEW PARAGRAPH. d. Notwithstanding any provision
12 of this chapter to the contrary, on or after the
13 effective date of this Act a municipality shall not
14 adopt an ordinance providing for a division of revenue
15 under this section for an urban renewal area containing
16 wind energy conversion property as defined in section
17 427B.26 unless a majority of affected taxing entities
18 by resolution approves the proposed division of
19 revenue. The division of revenue shall be limited to
20 ten years following adoption of the ordinance. Revenue
21 divided in an urban renewal area described in this
22 paragraph shall only be used by the municipality for
23 the construction, reconstruction, improvement, repair,
24 or equipping of bridges, roads, and culverts under the
25 jurisdiction of the municipality and located in the
26 urban renewal area.>

27 23. Page 20, by striking lines 6 through 27 and
28 inserting:

29 <NEW SUBSECTION. 3A. Except as provided in
30 section 403.22, an ordinance providing for a division
31 of revenue under this section that is adopted on or
32 after the effective date of this Act shall be limited
33 to twenty years from the calendar year following
34 the calendar year in which the municipality first
35 certifies to the county auditor the amount of any
36 loans, advances, indebtedness, or bonds which qualify
37 for payment from the division of revenue provided in
38 section 403.19. The urban renewal area, including
39 all applicable urban renewal plans, projects, and
40 ordinances shall terminate and be of no further force
41 and effect following the twenty-year period provided
42 in this subsection.>

43 24. Page 21, by striking lines 6 through 9 and
44 inserting <have either entered into a written agreement
45 concerning the relocation of the commercial or
46 industrial enterprise or have entered into a written
47 agreement concerning the general use of economic
48 incentives to attract commercial or industrial
49 development within those municipalities.>

50 25. Page 22, by striking line 19 and inserting <the

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1 following unless approved by resolution adopted by the
2 governing bodies of a majority of the>
3 26. By striking page 23, line 1, through page 25,
4 line 12, and inserting:
5 <Sec. _____. Section 403.22, Code Supplement 2011, is
6 amended by adding the following new subsection:
7 NEW SUBSECTION. 1A. With respect to any urban
8 renewal area established on or after the effective
9 date of this Act, a division of revenue as provided in
10 section 403.19 shall not be allowed for the purpose
11 of providing or aiding in the provision of public
12 improvements related to housing and residential
13 development unless a majority of the affected taxing
14 entities, by resolution, approves a division of
15 revenue for such purpose. If the use of a division of
16 revenue for the purpose of providing or aiding in the
17 provision of public improvements related to housing
18 and residential development is approved by a majority
19 of the affected taxing entities, the municipality is
20 subject to the provisions of this section insofar as
21 applicable.>
22 27. Title page, line 2, by striking <property>
23 28. By renumbering as necessary.

SODERBERG of Plymouth



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House File 2465

H-8444

1 Amend House File 2465 as follows:
2 1. Page 3, after line 25 by inserting:
3 <Sec. _____. Section 260C.14, Code 2011, is amended
4 by adding the following new subsection:
5 NEW SUBSECTION. 23. a. Adopt rules to waive
6 tuition and mandatory fee charges for any student in
7 good standing who is a resident of Iowa; is under the
8 age of twenty-six, or under the age of thirty if the
9 student is a qualified veteran as defined in subsection
10 14; is not a convicted felon as defined in section
11 910.15; and meets any of the following criteria:
12 (1) Is the child of a peace officer, as defined
13 in section 97A.1, who was killed in the line of duty
14 as determined by the board of trustees of the Iowa
15 department of public safety peace officers' retirement,
16 accident, and disability system in accordance with
17 section 97A.6, subsection 16.
18 (2) Is the child of a police officer, as defined in
19 section 411.1, who was killed in the line of duty as
20 determined by the statewide fire and police retirement
21 system in accordance with section 411.6, subsection 15.
22 (3) Is the child of a sheriff or deputy sheriff as
23 defined in section 97B.49C, who was killed in the line
24 of duty as determined by the Iowa public employees'
25 retirement system in accordance with section 97B.52,
26 subsection 2.
27 b. If a student who meets the criteria pursuant to
28 paragraph "a" receives financial aid under any other
29 federal, state, or institutional scholarship or grant
30 program, the full amount of the other financial aid
31 shall be applied to the student's expenses first and
32 shall be considered part of the student's available
33 financial resources in determining the amount of
34 tuition and mandatory fee charges to be waived under
35 this subsection. The total financial aid for the
36 student's education, including financial aid under any
37 other program, shall not exceed the student's cost
38 of attendance at the community college in which the
39 student is enrolled.
40 c. Notwithstanding section 261.20, a community
41 college waiving tuition and mandatory fees in
42 accordance with this subsection may request from the
43 college student aid commission and the governor a
44 transfer of moneys from the scholarship and tuition
45 grant reserve fund in the manner provided in section
46 261.20, subsection 3, in an amount equivalent to the
47 amount of tuition and mandatory fees waived by the
48 community college for the fiscal year.
49 Sec. _____. Section 262.9, Code Supplement 2011, is
50 amended by adding the following new subsection:

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1 NEW SUBSECTION. 36. a. Adopt rules that require
2 the institutions of higher education under its control
3 to waive tuition and mandatory fee charges for any
4 undergraduate student in good standing who is a
5 resident of Iowa; is under the age of twenty-six, or
6 under the age of thirty if the student is a qualified
7 veteran as defined in subsection 17; is not a convicted
8 felon as defined in section 910.15; and meets any of
9 the following criteria:
10 (1) Is the child of a peace officer, as defined
11 in section 97A.1, who was killed in the line of duty
12 as determined by the board of trustees of the Iowa
13 department of public safety peace officers' retirement,
14 accident, and disability system in accordance with
15 section 97A.6, subsection 16.
16 (2) Is the child of a police officer, as defined in
17 section 411.1, who was killed in the line of duty as
18 determined by the statewide fire and police retirement
19 system in accordance with section 411.6, subsection 15.
20 (3) Is the child of a sheriff or deputy sheriff as
21 defined in section 97B.49C, who was killed in the line
22 of duty as determined by the Iowa public employees'
23 retirement system in accordance with section 97B.52,
24 subsection 2.
25 b. If a student who meets the criteria pursuant to
26 paragraph "a" receives financial aid under any other
27 federal, state, or institutional scholarship or grant
28 program, the full amount of the other financial aid
29 shall be applied to the student's expenses first and
30 shall be considered part of the student's available
31 financial resources in determining the amount of
32 tuition and mandatory fee charges to be waived under
33 this subsection. The total financial aid for the
34 student's education, including financial aid under any
35 other program, shall not exceed the student's cost of
36 attendance at the institution of higher education in
37 which the student is enrolled.
38 c. Notwithstanding section 261.20, an institution
39 of higher education waiving tuition and mandatory fees
40 in accordance with this subsection may request from
41 the college student aid commission and the governor a
42 transfer of moneys from the scholarship and tuition
43 grant reserve fund in the manner provided in section
44 261.20, subsection 3, in an amount equivalent to the
45 amount of tuition and mandatory fees waived by the
46 institution for the fiscal year.>
47 2. By renumbering as necessary.

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WAGNER of Linn



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House File 2465

H-8445

- 1 Amend House File 2465 as follows:
2 1. Page 3, by striking lines 7 through 14 and
3 inserting:
4 <by adding the following new paragraphs:
5 NEW PARAGRAPH. g. For the fiscal year beginning
6 July 1, 2011, and each succeeding fiscal year, of the
7 amount of preschool foundation aid received by a school
8 district for a fiscal year in accordance with section
9 257.16, not less than five percent shall be used by
10 the school district for administering the district's
11 approved local program.
12 NEW PARAGRAPH. h. For the fiscal year beginning
13 July 1, 2012, and each succeeding fiscal year, of
14 the amount of preschool foundation aid received by a
15 school district for a fiscal year in accordance with
16 section 257.16, not less than ninety-five percent
17 of the per pupil amount shall be passed through to
18 a community-based provider for each pupil enrolled
19 in the district's approved local program. For the
20 fiscal year beginning July 1, 2011, and each succeeding
21 fiscal year, not more than five percent of the
22 amount of preschool foundation aid passed through
23 to a community-based provider may be used by the
24 community-based provider for administrative costs.>
25 2. Page 5, after line 12 by inserting:
26 <2. The section of this Act enacting section
27 256C.4, subsection 1, paragraphs "g" and "h".>
28 3. By renumbering as necessary.

WINCKLER of Scott

DOLECHECK of Ringgold

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House File 2465

H-8446

- 1 Amend House File 2465 as follows:
2 1. Page 1, by striking lines 23 through 26 and
3 inserting:
4 <2. ~~For regional tourism marketing under section~~
5 ~~99F.11, subsection 3, paragraph "d", subparagraph (2):~~
6 ~~..... \$ 405,153>~~
7 2. By renumbering as necessary.

THOMAS of Clayton



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House File 2465

H-8447

1 Amend the amendment, H-8445, to House File 2465 as
2 follows:
3 1. Page 1, line 9, by striking <not less than
4 five percent shall> and inserting <not more than five
5 percent may>

WINCKLER of Scott

DOLECHECK of Ringgold



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House Resolution 139 - Introduced

HOUSE RESOLUTION NO. 139

BY PAULSEN, SCHULTE, and T. TAYLOR

1 A Resolution honoring the Cedar Rapids Kennedy High
2 School's show choir, Happiness, Inc., for winning
3 the Show Choir Nationals 2012 championships.

4 WHEREAS, over the decades high school glee clubs
5 have evolved into sophisticated show choirs featuring
6 both song and choreographed dance numbers, and
7 the competition is fierce among these talented and
8 dedicated troupes; and

9 WHEREAS, this talent and dedication is evident in
10 Happiness, Inc., the Cedar Rapids Kennedy High School's
11 show choir, which was first formed in the fall of
12 1967; and

13 WHEREAS, extraordinary talent is a common element
14 in Happiness, Inc., which was named America's favorite
15 show choir of 2011 by Parade magazine; and

16 WHEREAS, In March 2012, the young performers took
17 their skills and dedication to Nashville, Tennessee,
18 competing in the Show Choir Nationals 2012; and

19 WHEREAS, the choir performed in the Grand Ole Opry
20 House, winning first place in Mixed Group, as well as
21 High Vocal, High Show Design, and Outstanding Combo
22 honors; NOW THEREFORE,

23 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
24 the House of Representatives honors the young men and
25 women of Happiness, Inc. for winning the national show
26 choir championships, and thanks them for the honor they
27 have brought to themselves, their school, and their
28 state.

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Senate File 451

S-5191

1 Amend the amendment, S-5170, to Senate File 451,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, after line 4 by inserting:

5 <Section 1. Section 257.40, subsection 2, Code
6 2011, is amended to read as follows:

7 2. a. By January 1, 2013, the board of directors
8 of each school district administering an approved
9 program for returning dropouts and dropout prevention
10 pursuant to this section shall implement an assessment
11 approved by the department of education that is
12 designed to determine the number of returning dropouts
13 and the percentage of reduction in the number of
14 dropouts resulting from the approved program. Annually
15 by July 1 of the following school year, the school
16 board shall submit the data collected pursuant to this
17 paragraph to the department in the manner prescribed
18 by the department. The department shall collect,
19 analyze, and report the data received pursuant to this
20 paragraph, along with its findings and recommendations,
21 in the annual report submitted pursuant to paragraph
22 "c".

23 b. Beginning January 15, 2007 By October 1, 2012,
24 the department shall identify and provide to school
25 districts a valid and reliable assessment that a school
26 district shall use to determine the number of returning
27 dropouts and the percentage of reduction in the number
28 of dropouts identified by a school district as a result
29 of the administration of programs approved pursuant to
30 this section.

31 c. Beginning November 1, 2013, the department
32 shall submit an annual report to the ~~chairpersons and~~
33 ~~ranking members of the senate and house education~~
34 ~~committees general assembly~~ that includes the ways
35 school districts in the previous school year used
36 modified allowable growth approved under subsection 1;
37 identifies, by grade level, age, and district size,
38 the students in the dropout and dropout prevention
39 programs for which the department approves a request;
40 describes school district progress toward increasing
41 student achievement and attendance for the students in
42 the programs; and describes how the school districts
43 are using the revenues from the modified allowable
44 growth to improve student achievement among minority
45 subgroups.>

46 2. By renumbering as necessary.

PAUL MCKINLEY

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Senate File 2326

S-5192

1 Amend Senate File 2326 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 476B.1, subsection 4, paragraph
4 c, Code 2011, is amended to read as follows:

5 c. Was originally placed in service on or after
6 July 1, 2005, but before July 1, 2012 2013.

7 Sec. _____. Section 476B.5, subsection 4, Code
8 Supplement 2011, is amended to read as follows:

9 4. a. The maximum amount of nameplate generating
10 capacity of all qualified facilities the board may find
11 eligible under this chapter shall not exceed fifty
12 megawatts of nameplate generating capacity.

13 b. If additional capacity becomes available within
14 the capacity restrictions of paragraph "a" of this
15 subsection, the amount of available capacity, plus
16 an additional amount of capacity necessary to render
17 a facility fully operational, if applicable, may be
18 awarded to the applicant who has awaited available
19 capacity for the longest period since receiving
20 approval.>

21 2. Page 1, line 17, after <capacity.> by inserting
22 <Of the maximum amount of nameplate generating capacity
23 for all wind energy conversion facilities the board
24 may find eligible under this chapter, five megawatts
25 of nameplate generating capacity shall be reserved for
26 wind energy conversion facilities located in small wind
27 innovation zones created under section 476.48.>

28 3. Page 2, by striking lines 11 through 17 and
29 inserting:

30 <Of the maximum amount of energy production capacity
31 equivalent of all other facilities found eligible under
32 this chapter, an amount equivalent to ten megawatts
33 of nameplate generating capacity shall be reserved
34 for eligible renewable energy facilities incorporated
35 within or associated with an ethanol cogeneration plant
36 engaged in the sale of ethanol to states to meet a low
37 carbon fuel standard.>

38 4. Page 2, before line 18 by inserting:

39 <Sec. _____. Section 476C.3, Code Supplement 2011, is
40 amended by adding the following new subsection:

41 NEW SUBSECTION. 4A. Notwithstanding the definition
42 of "eligible renewable energy facility" in section
43 476C.1, subsection 6, unnumbered paragraph 1, of the
44 maximum amount of energy production capacity equivalent
45 of all other facilities found eligible pursuant to
46 subsection 4, paragraph "b", an amount equivalent to
47 ten megawatts of nameplate generating capacity shall
48 be reserved for natural gas cogeneration facilities
49 incorporated within or associated with an ethanol plant
50 to assist the ethanol plant in meeting a low carbon

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1 fuel standard.>
2 5. Title page, by striking lines 1 and 2 and
3 inserting <An Act relating to qualification for and
4 receipt of the wind energy and renewable energy tax
5 credits.>
6 6. By renumbering as necessary.

ROBERT M. HOGG



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House Amendment to
Senate File 364

S-5193

1 Amend Senate File 364, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, after line 35 by inserting:

4 <Sec. _____. Section 148B.2, subsection 2, Code 2011,
5 is amended to read as follows:

6 2. "*Occupational therapy*" means the therapeutic
7 application of specific tasks used for the purpose of
8 evaluation and treatment of problems interfering with
9 functional performance in persons impaired by physical
10 illness or injury, emotional disorder, congenital or
11 developmental disability, or the aging process in order
12 to achieve optimum function, for maintenance of health
13 and prevention of disability. "*Occupational therapy*"
14 includes but is not limited to providing assessment,
15 design, fabrication, application, and fitting of
16 selected orthotic devices and training in the use of
17 prosthetic devices.>

18 2. Page 2, after line 35 by inserting:

19 <Sec. _____. Section 148B.2, subsection 2, Code 2011,
20 is amended to read as follows:

21 2. "*Occupational therapy*" means the therapeutic
22 application of specific tasks used for the purpose of
23 evaluation and treatment of problems interfering with
24 functional performance in persons impaired by physical
25 illness or injury, emotional disorder, congenital or
26 developmental disability, or the aging process in
27 order to achieve optimum function, for maintenance of
28 health and prevention of disability use of occupations,
29 including everyday life activities with individuals,
30 groups, populations, or organizations to support
31 participation, performance, and function in roles and
32 situations in home, school, workplace, community, and
33 other settings. Occupational therapy services are
34 provided for habilitation, rehabilitation, and the
35 promotion of health and wellness to those who have
36 or are at risk for developing an illness, injury,
37 disease, disorder, condition, impairment, disability,
38 activity limitation, or participation restriction.
39 Occupational therapy addresses the physical, cognitive,
40 psychosocial, sensory-perceptual, and other aspects of
41 performance in a variety of contexts and environments
42 to support engagement in occupations that affect
43 physical and mental health, well-being, and quality of
44 life.

45 Sec. _____. Section 148B.3, subsection 5, Code 2011,
46 is amended by striking the subsection.

47 Sec. _____. Section 148B.3, subsection 6, Code 2011,
48 is amended to read as follows:

49 6. A nonresident performing occupational therapy
50 services in the state who is not licensed under

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1 this chapter, if the services are performed for not
2 more than ~~ninety~~ thirty days in a calendar year in
3 association with an occupational therapist licensed
4 under this chapter, and the nonresident meets either of
5 the following requirements:
6 a. The nonresident is licensed under the law of
7 another state which has licensure requirements at least
8 as stringent as the requirements of this chapter, ~~or.~~
9 b. The nonresident meets the requirements for
10 certification as an occupational therapist registered
11 (O.T.R.), or a certified occupational therapy assistant
12 (C.O.T.A.) established by the ~~American~~ national board
13 for certification in occupational therapy association.
14 Sec. ____. Section 148B.4, Code 2011, is amended to
15 read as follows:
16 **148B.4 Limited permit.**
17 1. A limited permit to practice occupational
18 therapy may be granted to persons a person who have
19 has completed the education and experience academic
20 and field work requirements of for occupational
21 therapists under this chapter and has not yet taken or
22 received the results of the entry-level certification
23 examination. This permit shall A permit granted
24 pursuant to this subsection shall be valid for a period
25 of time as determined by the board by rule and shall
26 allow the person to practice occupational therapy under
27 the direction and appropriate supervision of a licensed
28 an occupational therapist and shall be valid until
29 the date on which the results of the next qualifying
30 examination have been made public licensed under this
31 chapter. This The permit shall expire when the person
32 is issued a license under section 148B.5 or if the
33 person is notified that the person did not pass the
34 examination. The limited permit shall not be renewed
35 if the applicant has failed the examination.
36 2. A limited permit to assist in the practice of
37 occupational therapy may be granted to a person who
38 has completed the academic and field work requirements
39 for occupational therapy assistants under this chapter
40 and has not yet taken or received the results of the
41 entry-level certification examination. A permit
42 granted pursuant to this subsection shall be valid for
43 a period of time as determined by the board by rule
44 and shall allow the person to assist in the practice
45 of occupational therapy under the direction and
46 appropriate supervision of an occupational therapist
47 licensed under this chapter. The permit shall expire
48 when the person is issued a license under section
49 148B.5 or if the person is notified that the person did
50 not pass the examination. The limited permit shall not

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1 be renewed.
2 Sec. _____. Section 148B.6, Code 2011, is amended to
3 read as follows:
4 **148B.6 Waiver of requirements for licensing.**
5 ~~1. The board may waive the examination and grant a~~
6 ~~license:~~
7 ~~1. To a person certified prior to January~~
8 ~~1, 1981, as an occupational therapist registered~~
9 ~~(O.T.R.) or a certified occupational therapy assistant~~
10 ~~(C.O.T.A.) by the American Occupational Therapy~~
11 ~~Association occupational therapy association.~~
12 ~~2. The board shall waive the education and~~
13 ~~experience requirements for licensure in section~~
14 ~~148B.5, subsections 1 and 2, for applicants for a~~
15 ~~license who present evidence to the board that they~~
16 ~~have been engaged in the practice of occupational~~
17 ~~therapy on and prior to January 1, 1981. Proof of~~
18 ~~actual practice shall be presented to the board in a~~
19 ~~manner as it prescribes by rule. To obtain the benefit~~
20 ~~of this waiver, an applicant must successfully complete~~
21 ~~the examination within one year from January 1, 1981.~~
22 ~~However, the waiver is conditional upon the applicant~~
23 ~~satisfying the education and experience requirements of~~
24 ~~section 148B.5, subsections 1 and 2, within five years~~
25 ~~of the waiver being granted and if those requirements~~
26 ~~are not satisfied at the expiration of those five years~~
27 ~~the board shall revoke the license.~~
28 ~~3. 2. The board may waive the examination and~~
29 ~~grant a license to To an applicant who presents proof~~
30 ~~of current licensure as an occupational therapist~~
31 ~~or occupational therapy assistant in another state,~~
32 ~~the District of Columbia, or a territory of the~~
33 ~~United States which requires standards for licensure~~
34 ~~considered by the board to be equivalent to the~~
35 ~~requirements for licensure of this chapter.~~
36 Sec. _____. **NEW SECTION. 148B.8 Unlawful practice.**
37 1. A person shall not practice occupational therapy
38 or assist in the practice of occupational therapy,
39 provide occupational therapy services, hold oneself out
40 as an occupational therapist or occupational therapy
41 assistant or as being able to practice occupational
42 therapy or assist in the practice of occupational
43 therapy, or provide occupational therapy services in
44 this state unless the person is licensed under this
45 chapter.
46 2. It is unlawful for any person not licensed as an
47 occupational therapist in this state or whose license
48 is suspended or revoked to use in connection with the
49 person's name or place of business in this state the
50 words "occupational therapist", "licensed occupational

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1 *therapist*", or any word, title, letters, or designation
2 that implies that the person is an occupational
3 therapist.

4 3. It is unlawful for any person not licensed as an
5 occupational therapy assistant in this state or whose
6 license is suspended or revoked to use in connection
7 with the person's name or place of business in this
8 state, the words "*occupational therapy assistant*",
9 "*licensed occupational therapy assistant*", or any word,
10 title, letters, or designation that implies that the
11 person is an occupational therapy assistant.

12 Sec. _____. NEW SECTION. 148B.9 False use of titles
13 prohibited.

14 A person or business entity, including the
15 employees, agents, or representatives of the
16 business entity, shall not use in connection with
17 that person or business entity's business activity,
18 the words "occupational therapy", "occupational
19 therapist", "licensed occupational therapist", "doctor
20 of occupational therapy", "occupational therapy
21 assistant", "licensed occupational therapy assistant",
22 or the letters "O.T.", "O.T./L.", "O.T.D.", "O.T.A.",
23 "O.T.A./L.", or any words, abbreviations, or insignia
24 indicating or implying that occupational therapy
25 is provided or supplied unless such services are
26 provided by or under the direction and supervision of
27 an occupational therapist licensed pursuant to this
28 chapter.>

29 3. Page 7, line 2, after <caregivers.> by inserting
30 <Any changes to the nationally accepted standards by
31 the American board for certification in orthotics,
32 prosthetics and pedorthics which impact scope of
33 practice may be approved by the board along with the
34 adoption of rules as required in this section.>

35 4. Page 11, by striking lines 6 through 19.

36 5. Title page, line 1, by striking <of> and
37 inserting <and regulation of persons offering
38 occupational therapy services, and>

39 6. Title page, line 2, after <pedorthists>
40 by inserting <, providing exceptions for persons
41 practicing within the scope of their professions,>

42 7. By renumbering as necessary.



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Senate File 466

S-5194

1 Amend the amendment, S-3329, to Senate File 466,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 2, by striking lines 36 through 41 and
5 inserting:
6 <6. a. A residential contractor violating this
7 section is subject to the penalties and remedies
8 prescribed by this chapter.
9 b. A violation of this section by a residential
10 contractor is an unlawful practice pursuant to section
11 714.16.>
12 2. By renumbering as necessary.

MATT McCOY



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House File 675

S-5195

- 1 Amend House File 675, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 5, line 8, after <situated.> by inserting
4 <The county identified on the state construction
5 registry internet website at the time of posting the
6 required notices pursuant to sections 572.13A and
7 572.13B shall be the only county in which the building,
8 land, or improvement may be charged with a mechanic's
9 lien.>
10 2. Page 6, line 12, after <Code> by inserting
11 <Supplement>
12 3. By striking page 6, line 28, through page 7,
13 line 5, and inserting <the improved property.">
14 4. Page 8, line 11, after <3.> by inserting <a.>
15 5. Page 8, by striking lines 14 through 17 and
16 inserting <and send a copy of the owner notice
17 described in section 572.13. The owner notice shall
18 contain the following language:
19 Persons or companies furnishing labor or materials
20 for the improvement of real property may enforce a
21 lien upon the improved property if they are not paid
22 for their contributions, even if the parties have no
23 direct contractual relationship with the owner. The
24 state construction registry provides a listing of all
25 persons or companies furnishing labor or materials who
26 have posted a lien or who may post a lien upon the
27 improved property. If the person or company has posted
28 its notice or lien to the state construction registry,
29 you may be required to pay the person or company even
30 if you have paid the general contractor the full amount
31 due. Therefore, check the state construction registry
32 internet website for information about the property
33 including persons or companies furnishing labor or
34 materials before paying your general contractor.
35 In addition, when making payment to your general
36 contractor, it is important to obtain lien waivers from
37 your general contractor and from persons or companies
38 registered as furnishing labor or materials to your
39 property. The information in the state construction
40 registry is posted on the internet website of the state
41 construction registry.
42 b. Other relevant information may be included with
43 the notice described in subsection 1 as prescribed by
44 the administrator pursuant to rule.
45 c. The notice described in subsection 1 shall be
46 sent to the owner's address. If the owner's address
47 is different than the property address, a copy of the
48 notice shall also be sent to the property address,
49 addressed to the owner.>
50 6. Page 20, by striking lines 14 through 22 and

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1 inserting:
2 <Sec. _____. TRANSITION PROVISION —
3 NOTICES. Notwithstanding sections 572.13A and
4 572.13B, as enacted by this Act, or any other provision
5 of this Act, for the period commencing January 1,
6 2013, through June 30, 2013, a general contractor,
7 subcontractor, or owner-builder may, as an alternative
8 means of providing notice, submit an affidavit to the
9 administrator, as defined in section 572.1, which shall
10 serve as the requisite notice pursuant to this Act.
11 The administrator shall post such notices to the state
12 construction registry internet website. The affidavit
13 shall be in the form prescribed by the administrator
14 pursuant to rule.
15 Sec. _____. EFFECTIVE DATE. This Act takes effect
16 January 1, 2013.
17 Sec. _____. APPLICABILITY.
18 1. Mechanics' liens filed prior to the effective
19 date of this Act shall remain with the clerk of the
20 district court of the county in which the building,
21 land, or improvement charged with the lien is situated.
22 2. The notice provisions contained in this Act
23 apply only to material furnished or labor performed
24 after the effective date of this Act.>
25 7. By renumbering as necessary.

COMMITTEE ON WAYS AND MEANS
JOE BOLKCOM, CHAIRPERSON



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Senate File 2336 - Introduced

SENATE FILE 2336
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3201)

A BILL FOR

1 An Act relating to appropriations for health and human services
2 and including other related provisions and appropriations,
3 making penalties applicable, and including effective,
4 retroactive, and applicability date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 DIVISION I
2 DEPARTMENT ON AGING
3 Section 1. 2011 Iowa Acts, chapter 129, section 113, is
4 amended to read as follows:
5 SEC. 113. DEPARTMENT ON AGING. There is appropriated from
6 the general fund of the state to the department on aging for
7 the fiscal year beginning July 1, 2012, and ending June 30,
8 2013, the following amount, or so much thereof as is necessary,
9 to be used for the purposes designated:
10 For aging programs for the department on aging and area
11 agencies on aging to provide citizens of Iowa who are 60 years
12 of age and older with case management for frail elders, Iowa's
13 aging and disabilities resource center, and other services
14 which may include but are not limited to adult day services,
15 respite care, chore services, information and assistance,
16 and material aid, for information and options counseling for
17 persons with disabilities who are 18 years of age or older,
18 and for salaries, support, administration, maintenance, and
19 miscellaneous purposes, and for not more than the following
20 full-time equivalent positions:
21 \$ ~~5,151,288~~
22 10,402,577
23 FTEs 35.00
24 1. Funds appropriated in this section may be used to
25 supplement federal funds under federal regulations. To
26 receive funds appropriated in this section, a local area
27 agency on aging shall match the funds with moneys from other
28 sources according to rules adopted by the department. Funds
29 appropriated in this section may be used for elderly services
30 not specifically enumerated in this section only if approved
31 by an area agency on aging for provision of the service within
32 the area.
33 2. The amount appropriated in this section includes
34 additional funding of ~~\$225,000~~ \$450,000 for delivery of
35 long-term care services to seniors with low or moderate



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1 incomes.

2 3. Of the funds appropriated in this section, ~~\$89,973~~
3 \$179,946 shall be transferred to the department of economic
4 development for the Iowa commission on volunteer services to be
5 used for the retired and senior volunteer program.

6 4. a. The department on aging shall establish and enforce
7 procedures relating to expenditure of state and federal funds
8 by area agencies on aging that require compliance with both
9 state and federal laws, rules, and regulations, including but
10 not limited to all of the following:

11 (1) Requiring that expenditures are incurred only for goods
12 or services received or performed prior to the end of the
13 fiscal period designated for use of the funds.

14 (2) Prohibiting prepayment for goods or services not
15 received or performed prior to the end of the fiscal period
16 designated for use of the funds.

17 (3) Prohibiting the prepayment for goods or services
18 not defined specifically by good or service, time period, or
19 recipient.

20 (4) Prohibiting the establishment of accounts from which
21 future goods or services which are not defined specifically by
22 good or service, time period, or recipient, may be purchased.

23 b. The procedures shall provide that if any funds are
24 expended in a manner that is not in compliance with the
25 procedures and applicable federal and state laws, rules, and
26 regulations, and are subsequently subject to repayment, the
27 area agency on aging expending such funds in contravention of
28 such procedures, laws, rules and regulations, not the state,
29 shall be liable for such repayment.

30 5. Of the funds appropriated in this section, \$100,000
31 shall be used to provide an additional local long-term care
32 resident's advocate. It is the intent of the general assembly
33 that the number of local long-term care resident's advocates
34 as provided in section 231.42 be increased each year until 15
35 local long-term care resident's advocates are available in the



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1 state.

2

DIVISION II

3

DEPARTMENT OF PUBLIC HEALTH

4 Sec. 2. 2011 Iowa Acts, chapter 129, section 114, is amended
5 to read as follows:

6 SEC. 114. DEPARTMENT OF PUBLIC HEALTH. There is
7 appropriated from the general fund of the state to the
8 department of public health for the fiscal year beginning July
9 1, 2012, and ending June 30, 2013, the following amounts, or
10 so much thereof as is necessary, to be used for the purposes
11 designated:

12 1. ADDICTIVE DISORDERS

13 For reducing the prevalence of use of tobacco, alcohol, and
14 other drugs, and treating individuals affected by addictive
15 behaviors, including gambling, and for not more than the
16 following full-time equivalent positions:

17	\$ 11,751,595
18	<u>26,003,190</u>
19	FTEs 13.00

20 a. (1) Of the funds appropriated in this subsection,
21 ~~\$1,626,915~~ \$5,753,830 shall be used for the tobacco use
22 prevention and control initiative, including efforts at the
23 state and local levels, as provided in chapter 142A. The
24 commission on tobacco use prevention and control established
25 pursuant to section 142A.3 shall advise the director of
26 public health in prioritizing funding needs and the allocation
27 of moneys appropriated for the programs and activities of
28 the initiative under this subparagraph (1) and shall make
29 recommendations to the director in the development of budget
30 requests relating to the initiative.

31 (2) Of the funds allocated in this paragraph "a", ~~\$226,915~~
32 \$453,830 shall be transferred to the alcoholic beverages
33 division of the department of commerce for enforcement of
34 tobacco laws, regulations, and ordinances in accordance with
35 2011 Iowa Acts, ~~House File 467, as enacted~~ chapter 63.

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1 b. Of the funds appropriated in this subsection,
2 ~~\$10,124,680~~ \$20,249,360 shall be used for problem gambling and
3 substance abuse prevention, treatment, and recovery services,
4 including a 24-hour helpline, public information resources,
5 professional training, and program evaluation.
6 (1) Of the funds allocated in this paragraph "b", ~~\$8,566,254~~
7 \$17,132,508 shall be used for substance abuse prevention and
8 treatment.
9 (a) Of the funds allocated in this subparagraph (1),
10 ~~\$449,650~~ \$899,300 shall be used for the public purpose of a
11 grant program to provide substance abuse prevention programming
12 for children.
13 (i) Of the funds allocated in this subparagraph division
14 (a), ~~\$213,769~~ \$427,539 shall be used for grant funding for
15 organizations that provide programming for children by
16 utilizing mentors. Programs approved for such grants shall be
17 certified or will be certified within six months of receiving
18 the grant award by the Iowa commission on volunteer services as
19 utilizing the standards for effective practice for mentoring
20 programs.
21 (ii) Of the funds allocated in this subparagraph division
22 (a), ~~\$213,419~~ \$426,839 shall be used for grant funding for
23 organizations that provide programming that includes youth
24 development and leadership. The programs shall also be
25 recognized as being programs that are scientifically based with
26 evidence of their effectiveness in reducing substance abuse in
27 children.
28 (iii) The department of public health shall utilize a
29 request for proposals process to implement the grant program.
30 (iv) All grant recipients shall participate in a program
31 evaluation as a requirement for receiving grant funds.
32 (v) Of the funds allocated in this subparagraph division
33 (a), up to ~~\$22,461~~ \$44,922 may be used to administer substance
34 abuse prevention grants and for program evaluations.
35 (b) Of the funds allocated in this subparagraph (1),

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1 ~~\$136,531~~ \$273,062 shall be used for culturally competent
2 substance abuse treatment pilot projects.

3 (i) The department shall utilize the amount allocated
4 in this subparagraph division (b) for at least three pilot
5 projects to provide culturally competent substance abuse
6 treatment in various areas of the state. Each pilot project
7 shall target a particular ethnic minority population. The
8 populations targeted shall include but are not limited to
9 African American, Asian, and Latino.

10 (ii) The pilot project requirements shall provide for
11 documentation or other means to ensure access to the cultural
12 competence approach used by a pilot project so that such
13 approach can be replicated and improved upon in successor
14 programs.

15 (2) Of the funds allocated in this paragraph "b", up
16 to ~~\$1,558,426~~ \$3,116,852 may be used for problem gambling
17 prevention, treatment, and recovery services.

18 (a) Of the funds allocated in this subparagraph (2),
19 ~~\$1,289,500~~ \$2,579,000 shall be used for problem gambling
20 prevention and treatment.

21 (b) Of the funds allocated in this subparagraph (2), up to
22 ~~\$218,926~~ \$437,852 may be used for a 24-hour helpline, public
23 information resources, professional training, and program
24 evaluation.

25 (c) Of the funds allocated in this subparagraph (2), up
26 to ~~\$50,000~~ \$100,000 may be used for the licensing of problem
27 gambling treatment programs.

28 (3) It is the intent of the general assembly that from the
29 moneys allocated in this paragraph "b", persons with a dual
30 diagnosis of substance abuse and gambling addictions shall be
31 given priority in treatment services.

32 c. Notwithstanding any provision of law to the contrary,
33 to standardize the availability, delivery, cost of delivery,
34 and accountability of problem gambling and substance abuse
35 treatment services statewide, the department shall continue



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1 implementation of a process to create a system for delivery
2 of treatment services in accordance with the requirements
3 specified in 2008 Iowa Acts, chapter 1187, section 3,
4 subsection 4. To ensure the system provides a continuum of
5 treatment services that best meets the needs of Iowans, the
6 problem gambling and substance abuse treatment services in any
7 area may be provided either by a single agency or by separate
8 agencies submitting a joint proposal.

9 (1) The system for delivery of substance abuse and problem
10 gambling treatment shall include problem gambling prevention.

11 (2) The system for delivery of substance abuse and problem
12 gambling treatment shall include substance abuse prevention by
13 July 1, 2014.

14 (3) Of the funds allocated in paragraph "b", the department
15 may use up to ~~\$50,000~~ \$100,000 for administrative costs to
16 continue developing and implementing the process in accordance
17 with this paragraph "c".

18 d. The requirement of section 123.53, subsection 5, is met
19 by the appropriations and allocations made in this Act for
20 purposes of substance abuse treatment and addictive disorders
21 for the fiscal year beginning July 1, 2012.

22 e. The department of public health shall work with all other
23 departments that fund substance abuse prevention and treatment
24 services and all such departments shall, to the extent
25 necessary, collectively meet the state maintenance of effort
26 requirements for expenditures for substance abuse services
27 as required under the federal substance abuse prevention and
28 treatment block grant.

29 f. The department shall amend or otherwise revise
30 departmental policies and contract provisions in order to
31 eliminate free t-shirt distribution, banner production, and
32 other unnecessary promotional expenditures.

33 2. HEALTHY CHILDREN AND FAMILIES

34 For promoting the optimum health status for children,
35 adolescents from birth through 21 years of age, and families,

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1 and for not more than the following full-time equivalent
2 positions:
3 \$ ~~1,297,135~~
4 2,694,270
5 FTEs 10.00
6 a. Of the funds appropriated in this subsection, not
7 more than ~~\$369,659~~ \$739,318 shall be used for the healthy
8 opportunities to experience success (HOPES)-healthy families
9 Iowa (HFI) program established pursuant to section 135.106.
10 The funding shall be distributed to renew the grants that were
11 provided to the grantees that operated the program during the
12 fiscal year ending June 30, 2012.
13 0b. (1) In order to implement the legislative intent
14 stated in sections 135.106 and 256I.9, that priority for
15 home visitation program funding be given to programs using
16 evidence-based or promising models for home visitation, it is
17 the intent of the general assembly to phase-in the funding
18 priority as follows:
19 (a) By July 1, 2013, 25 percent of state funds expended
20 for home visiting programs are for evidence-based or promising
21 program models.
22 (b) By July 1, 2014, 50 percent of state funds expended
23 for home visiting programs are for evidence-based or promising
24 program models.
25 (c) By July 1, 2015, 75 percent of state funds expended
26 for home visiting programs are for evidence-based or promising
27 program models.
28 (d) By July 1, 2016, 90 percent of state funds expended
29 for home visiting programs are for evidence-based or promising
30 program models. The remaining 10 percent of funds may be
31 used for innovative program models that do not yet meet the
32 definition of evidence-based or promising programs.
33 (2) For the purposes of this lettered paragraph, unless the
34 context otherwise requires:
35 (a) "Evidence-based program" means a program that is based

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1 on scientific evidence demonstrating that the program model
2 is effective. An evidence-based program shall be reviewed
3 onsite and compared to program model standards by the model
4 developer or the developer's designee at least every five years
5 to ensure that the program continues to maintain fidelity
6 with the program model. The program model shall have had
7 demonstrated significant and sustained positive outcomes in an
8 evaluation utilizing a well-designed and rigorous randomized
9 controlled research design or a quasi-experimental research
10 design, and the evaluation results shall have been published in
11 a peer-reviewed journal.

12 (b) "Family support programs" includes group-based parent
13 education or home visiting programs that are designed to
14 strengthen protective factors, including parenting skills,
15 increasing parental knowledge of child development, and
16 increasing family functioning and problem solving skills. A
17 family support program may be used as an early intervention
18 strategy to improve birth outcomes, parental knowledge, family
19 economic success, the home learning environment, family and
20 child involvement with others, and coordination with other
21 community resources. A family support program may have a
22 specific focus on preventing child maltreatment or ensuring
23 children are safe, healthy, and ready to succeed in school.

24 (c) "Promising program" means a program that meets all of
25 the following requirements:

26 (i) The program conforms to a clear, consistent family
27 support model that has been in existence for at least three
28 years.

29 (ii) The program is grounded in relevant empirically-based
30 knowledge.

31 (iii) The program is linked to program-determined outcomes.

32 (iv) The program is associated with a national or state
33 organization that either has comprehensive program standards
34 that ensure high-quality service delivery and continuous
35 program quality improvement or the program model has

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1 demonstrated through the program's benchmark outcomes that the
2 program has achieved significant positive outcomes equivalent
3 to those achieved by program models with published significant
4 and sustained results in a peer-reviewed journal.

5 (v) The program has been awarded the Iowa family support
6 credential and has been reviewed onsite at least every five
7 years to ensure the program's adherence to the Iowa family
8 support standards approved by the early childhood Iowa
9 state board created in section 256I.3 or a comparable set of
10 standards. The onsite review is completed by an independent
11 review team that is not associated with the program or the
12 organization administering the program.

13 (3) (a) The data reporting requirements applicable to
14 the HOPES-HFI program services shall include the requirements
15 adopted by the early childhood Iowa state board pursuant
16 to section 256I.4 for the family support programs targeted
17 to families expecting a child or with newborn and infant
18 children through age five and funded through the state board.
19 The department of public health may specify additional data
20 reporting requirements for the HOPES-HFI program services. The
21 HOPES-HFI program services shall be required to participate in
22 a state administered internet-based data collection system by
23 July 1, 2013. The annual reporting concerning the HOPES-HFI
24 program services shall include program outcomes beginning with
25 the 2015 report.

26 (b) The data on families served that is collected by the
27 HOPES-HFI program shall include but is not limited to basic
28 demographic information, services received, funding utilized,
29 and program outcomes for the children and families served.

30 (c) The HOPES-HFI program shall work with the early
31 childhood Iowa state board in the state board's efforts
32 to identify minimum competency standards for the employees
33 and supervisors of family support programs funded. The
34 HOPES-HFI program, along with the state board, shall submit
35 recommendations concerning the standards to the governor and



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1 general assembly on or before January 1, 2014.

2 (d) On or before January 1, 2013, the HOPES-HFI program
3 shall adopt criminal and child abuse record check requirements
4 for the employees and supervisors of family support programs
5 funded through the program.

6 (e) The HOPES-HFI program shall work with the early
7 childhood Iowa state board in the state board's efforts to
8 develop a plan to implement a coordinated intake and referral
9 process for publicly funded family support programs in order
10 to engage the families expecting a child or with newborn and
11 infant children through age five in all communities in the
12 state by July 1, 2015.

13 b. Of the funds appropriated in this subsection, ~~\$164,942~~
14 ~~\$329,885~~ shall be used to continue to address the healthy
15 mental development of children from birth through five years
16 of age through local evidence-based strategies that engage
17 both the public and private sectors in promoting healthy
18 development, prevention, and treatment for children. The
19 department shall work with the department of human services,
20 Iowa Medicaid enterprise, to develop a plan to secure matching
21 medical assistance program funding to provide services under
22 this paragraph, which may include a per member per month
23 payment to reimburse the care coordination and community
24 outreach services component that links young children and their
25 families with identified service needs.

26 c. Of the funds appropriated in this subsection, ~~\$15,798~~
27 ~~\$31,597~~ shall be distributed to a statewide dental carrier to
28 provide funds to continue the donated dental services program
29 patterned after the projects developed by the lifeline network
30 to provide dental services to indigent elderly and disabled
31 individuals.

32 d. Of the funds appropriated in this subsection, ~~\$56,338~~
33 ~~\$112,677~~ shall be used for childhood obesity prevention.

34 e. Of the funds appropriated in this subsection, ~~\$81,880~~
35 ~~\$163,760~~ shall be used to provide audiological services and

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1 hearing aids for children. The department may enter into a
2 contract to administer this paragraph.
3 f. Of the funds appropriated in this subsection, \$100,000
4 shall be transferred to the university of Iowa college of
5 dentistry for provision of primary dental services to children.
6 State funds shall be matched on a dollar-for-dollar basis.
7 The university of Iowa college of dentistry shall coordinate
8 efforts with the department of public health, bureau of oral
9 health, to provide dental care to underserved populations
10 throughout the state.
11 3. CHRONIC CONDITIONS
12 For serving individuals identified as having chronic
13 conditions or special health care needs, and for not more than
14 the following full-time equivalent positions:
15 \$ ~~1,680,828~~
16 3,419,028
17 FTEs ~~4.00~~
18 5.00
19 a. Of the funds appropriated in this subsection, ~~\$80,291~~
20 \$160,582 shall be used for grants to individual patients
21 who have phenylketonuria (PKU) to assist with the costs of
22 necessary special foods.
23 b. Of the funds appropriated in this subsection, ~~\$241,800~~
24 \$483,600 is allocated for continuation of the contracts for
25 resource facilitator services in accordance with section
26 135.22B, subsection 9, and for brain injury training services
27 and recruiting of service providers to increase the capacity
28 within this state to address the needs of individuals with
29 brain injuries and such individuals' families.
30 c. Of the funds appropriated in this subsection, ~~\$249,437~~
31 \$550,000 shall be used as additional funding to leverage
32 federal funding through the federal Ryan White Care Act, Tit.
33 II, AIDS drug assistance program supplemental drug treatment
34 grants.
35 d. Of the funds appropriated in this subsection, ~~\$15,627~~

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1 \$50,000 shall be used for the public purpose of providing
2 a grant to an existing national-affiliated organization to
3 provide education, client-centered programs, and client and
4 family support for people living with epilepsy and their
5 families.

6 e. Of the funds appropriated in this subsection, ~~\$394,151~~
7 \$788,303 shall be used for child health specialty clinics.

8 f. Of the funds appropriated in this subsection, ~~\$248,533~~
9 \$497,065 shall be used for the comprehensive cancer control
10 program to reduce the burden of cancer in Iowa through
11 prevention, early detection, effective treatment, and ensuring
12 quality of life. Of the funds allocated in this lettered
13 paragraph, ~~\$75,000~~ \$150,000 shall be used to support a melanoma
14 research symposium, a melanoma biorepository and registry,
15 basic and translational melanoma research, and clinical trials.

16 g. Of the funds appropriated in this subsection, ~~\$63,225~~
17 \$126,450 shall be used for cervical and colon cancer screening.

18 h. Of the funds appropriated in this subsection, ~~\$264,417~~
19 \$528,834 shall be used for the center for congenital and
20 inherited disorders. The number of full-time equivalent
21 positions authorized in this subsection includes one full-time
22 equivalent position to act as the state genetics coordinator.

23 i. Of the funds appropriated in this subsection, ~~\$64,968~~
24 \$129,937 shall be used for the prescription drug donation
25 repository program created in chapter 135M.

26 4. COMMUNITY CAPACITY

27 For strengthening the health care delivery system at the
28 local level, and for not more than the following full-time
29 equivalent positions:

30	\$	2,117,583
31		<u>5,822,987</u>
32	FTEs	14.00

33 a. Of the funds appropriated in this subsection, ~~\$50,000~~
34 \$100,000 is allocated for a child vision screening program
35 implemented through the university of Iowa hospitals and

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1 clinics in collaboration with early childhood Iowa areas.
2 b. Of the funds appropriated in this subsection, ~~\$55,654~~
3 \$111,308 is allocated for continuation of an initiative
4 implemented at the university of Iowa and ~~\$50,246~~ \$100,493
5 is allocated for continuation of an initiative at the state
6 mental health institute at Cherokee to expand and improve the
7 workforce engaged in mental health treatment and services.
8 The initiatives shall receive input from the university of
9 Iowa, the department of human services, the department of
10 public health, and the mental health and disability services
11 commission to address the focus of the initiatives.
12 c. Of the funds appropriated in this subsection, ~~\$585,745~~
13 \$1,171,491 shall be used for essential public health services
14 that promote healthy aging throughout the lifespan, contracted
15 through a formula for local boards of health, to enhance health
16 promotion and disease prevention services.
17 d. Of the funds appropriated in this section, ~~\$60,908~~
18 \$121,817 shall be deposited in the governmental public health
19 system fund created in section 135A.8 to be used for the
20 purposes of the fund.
21 e. Of the funds appropriated in this subsection, ~~\$72,271~~
22 \$144,542 shall be used for the mental health professional
23 shortage area program implemented pursuant to section 135.80.
24 f. Of the funds appropriated in this subsection, ~~\$19,131~~
25 \$38,263 shall be used for a grant to a statewide association
26 of psychologists that is affiliated with the American
27 psychological association to be used for continuation of a
28 program to rotate intern psychologists in placements in urban
29 and rural mental health professional shortage areas, as defined
30 in section ~~135.80~~ 135.180.
31 g. Of the funds appropriated in this subsection, the
32 following amounts shall be allocated to the Iowa collaborative
33 safety net provider network established pursuant to section
34 135.153 to be used for the purposes designated. The following
35 amounts allocated under this lettered paragraph shall be

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1 distributed to the specified provider and shall not be reduced
2 for administrative or other costs prior to distribution:
3 (1) For distribution to the Iowa primary care association
4 for statewide coordination of the Iowa collaborative safety net
5 provider network:
6 \$ 66,290
7 150,000
8 (1A) For distribution to the Iowa primary care association
9 to be used for the following women's health initiatives:
10 (a) To establish a grant program, in collaboration
11 with sexual assault response teams (SARTs) comprised of
12 representatives of law enforcement, victim advocates,
13 prosecutors, and certified medical personnel to expand the
14 response room model for use by SARTs throughout the state:
15 \$ 50,000
16 (b) To promote access to primary and preventive health care
17 and for provision of assistance to patients in determining an
18 appropriate medical home:
19 \$ 75,000
20 (1B) For distribution to federally qualified health centers
21 for necessary infrastructure, statewide coordination, provider
22 recruitment, service delivery, and provision of assistance to
23 patients in determining an appropriate medical home:
24 \$ 125,000
25 (2) For distribution to the local boards of health that
26 provide direct services for pilot programs in three counties to
27 assist patients in determining an appropriate medical home:
28 \$ 38,804
29 77,609
30 (3) For distribution to maternal and child health centers
31 for pilot programs in three counties to assist patients in
32 determining an appropriate medical home:
33 \$ 38,804
34 100,000
35 (4) For distribution to free clinics for necessary

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1 infrastructure, statewide coordination, provider recruitment,
2 service delivery, and provision of assistance to patients in
3 determining an appropriate medical home:
4 \$ 62,025
5 424,050
6 (5) For distribution to rural health clinics for necessary
7 infrastructure, statewide coordination, provider recruitment,
8 service delivery, and provision of assistance to patients in
9 determining an appropriate medical home:
10 \$ 55,215
11 150,000
12 (6) For continuation of the safety net provider patient
13 access to specialty health care initiative as described in 2007
14 Iowa Acts, chapter 218, section 109:
15 \$ 130,000
16 400,000
17 (7) For continuation of the pharmaceutical infrastructure
18 for safety net providers as described in 2007 Iowa Acts,
19 chapter 218, section 108:
20 \$ 135,000
21 435,000
22 The Iowa collaborative safety net provider network may
23 continue to distribute funds allocated pursuant to this
24 lettered paragraph through existing contracts or renewal of
25 existing contracts.
26 h. ~~(1)~~ Of the funds appropriated in this subsection,
27 ~~\$74,500~~ \$337,440 shall be used for ~~continued implementation~~
28 ~~of the recommendations of the direct care worker task force~~
29 ~~established pursuant to 2005 Iowa Acts, chapter 88, based~~
30 ~~upon the report submitted to the governor and the general~~
31 ~~assembly in December 2006. The department may use a portion~~
32 ~~of the funds allocated in this lettered paragraph for an~~
33 ~~additional position to assist in the continued implementation~~
34 the purposes of the board of direct care professionals as
35 established pursuant to the division of this Act enacting new

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1 Code chapter 152F. The direct care worker advisory council
2 established pursuant to 2008 Iowa Acts, chapter 1188, section
3 69, may continue to provide expertise and leadership relating
4 to the recommendations in the advisory council's final report
5 submitted to the governor and the general assembly in March
6 2012.

7 i. (1) Of the funds appropriated in this subsection,
8 ~~\$65,050~~ \$145,100 shall be used for allocation to an independent
9 statewide direct care worker association that serves the
10 entirety of the direct care workforce under a contract with
11 terms determined by the director of public health relating
12 to education, outreach, leadership development, mentoring,
13 and other initiatives intended to enhance the recruitment and
14 retention of direct care workers in health care and long-term
15 care settings.

16 (2) Of the funds appropriated in this subsection, ~~\$29,000~~
17 \$58,000 shall be used to provide scholarships or other forms of
18 subsidization for direct care worker educational conferences,
19 training, or outreach activities.

20 j. Of the funds appropriated in this subsection, the
21 department may use up to ~~\$29,259~~ \$58,518 for up to one
22 full-time equivalent position to administer the volunteer
23 health care provider program pursuant to section 135.24.

24 k. Of the funds appropriated in this subsection, ~~\$25,000~~
25 \$50,000 shall be used for a matching dental education loan
26 repayment program to be allocated to a dental nonprofit health
27 service corporation to develop the criteria and implement the
28 loan repayment program.

29 l. Of the funds appropriated in this subsection, \$250,000
30 shall be used as state matching funds for the primary care
31 provider recruitment and retention endeavor established
32 pursuant to section 135.107. Notwithstanding any provision
33 to the contrary including whether a community is located in a
34 federally designated health professional shortage area, the
35 funds shall be used for loans to medical students who upon

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1 receiving a permanent license in this state will engage in
2 the full-time practice of medicine and surgery or osteopathic
3 medicine and surgery specializing in family medicine,
4 pediatrics, psychiatry, internal medicine, or general surgery
5 in a city within the state with a population of less than
6 26,000 that is located more than 20 miles from a city with a
7 population of 50,000 or more. The department may adopt rules
8 pursuant to chapter 17A to implement this paragraph "l".

9 m. Of the funds appropriated in this subsection, \$100,000
10 shall be used for the purposes of the Iowa donor registry as
11 specified in section 142C.18.

12 n. Of the funds appropriated in this subsection, \$100,000
13 shall be used for continuation of a grant to a nationally
14 affiliated volunteer eye organization that has an established
15 program for children and adults and that is solely dedicated to
16 preserving sight and preventing blindness through education,
17 nationally certified vision screening and training, and
18 community and patient service programs.

19 5. HEALTHY AGING

20 To provide public health services that reduce risks and
21 invest in promoting and protecting good health over the
22 course of a lifetime with a priority given to older Iowans and
23 vulnerable populations:

24 \$ ~~3,648,571~~
25 7,297,142

26 a. Of the funds appropriated in this subsection, ~~\$1,004,593~~
27 \$2,009,187 shall be used for local public health nursing
28 services.

29 b. Of the funds appropriated in this subsection, ~~\$2,643,977~~
30 \$5,287,955 shall be used for home care aide services.

31 6. ENVIRONMENTAL HAZARDS

32 For reducing the public's exposure to hazards in the
33 environment, primarily chemical hazards, and for not more than
34 the following full-time equivalent positions:

35 \$ ~~406,888~~

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1 813,777
2 FTEs 4.00
3 Of the funds appropriated in this subsection, ~~\$272,188~~
4 \$544,377 shall be used for childhood lead poisoning provisions.
5 7. INFECTIOUS DISEASES
6 a. For reducing the incidence and prevalence of
7 communicable diseases, and for not more than the following
8 full-time equivalent positions:
9 \$ 672,923
10 2,895,847
11 FTEs 4.00
12 b. For the human papillomavirus vaccination public
13 awareness program in accordance with section 135.11, subsection
14 31, as enacted by this Act:
15 \$ 50,000
16 The department of public health may seek private sector
17 moneys for the purpose of supporting the public awareness
18 program.
19 c. For provision of vaccinations for human papillomavirus
20 to persons age 19 through 26 with incomes below 300 percent
21 of the federal poverty level, as defined by the most recently
22 revised poverty income guidelines issued by the United States
23 department of health and human services, who are not covered
24 by a third-party payer health policy or contract that pays for
25 such vaccinations:
26 \$ 1,000,000
27 The department shall distribute the amount appropriated in
28 this lettered paragraph to providers on behalf of eligible
29 persons within the target population.
30 d. For provision of early prevention screening by pap smear
31 and advanced screening by colposcope for women with incomes
32 below 300 percent of the federal poverty level, as defined by
33 the most recently revised poverty income guidelines issued by
34 the United States department of health and human services,
35 who are not covered by a third-party payer health policy or

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1 contract that pays for such procedures and related laboratory
2 services:

3 \$ 500,000

4 The department shall distribute the amount appropriated in
5 this lettered paragraph to providers on behalf of eligible
6 persons within the target population.

7 8. PUBLIC PROTECTION

8 For protecting the health and safety of the public through
9 establishing standards and enforcing regulations, and for not
10 more than the following full-time equivalent positions:

11 \$ ~~1,388,116~~

12 2,879,127

13 FTEs 125.00

14 a. Of the funds appropriated in this subsection, not more
15 than ~~\$235,845~~ \$471,690 shall be credited to the emergency
16 medical services fund created in section 135.25. Moneys in
17 the emergency medical services fund are appropriated to the
18 department to be used for the purposes of the fund.

19 b. Of the funds appropriated in this subsection, ~~\$105,309~~
20 \$210,619 shall be used for sexual violence prevention
21 programming through a statewide organization representing
22 programs serving victims of sexual violence through the
23 department's sexual violence prevention program. The amount
24 allocated in this lettered paragraph shall not be used to
25 supplant funding administered for other sexual violence
26 prevention or victims assistance programs.

27 c. Of the funds appropriated in this subsection, not more
28 than ~~\$218,291~~ \$539,477 shall be used for the state poison
29 control center.

30 9. RESOURCE MANAGEMENT

31 For establishing and sustaining the overall ability of the
32 department to deliver services to the public, and for not more
33 than the following full-time equivalent positions:

34 \$ ~~409,777~~

35 819,554

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1 FTEs 7.00

2 The university of Iowa hospitals and clinics under the
3 control of the state board of regents shall not receive
4 indirect costs from the funds appropriated in this section.
5 The university of Iowa hospitals and clinics billings to the
6 department shall be on at least a quarterly basis.

7 DIVISION III

8 DEPARTMENT OF VETERANS AFFAIRS

9 Sec. 3. 2011 Iowa Acts, chapter 129, section 115, is amended
10 to read as follows:

11 SEC. 115. DEPARTMENT OF VETERANS AFFAIRS. There is
12 appropriated from the general fund of the state to the
13 department of veterans affairs for the fiscal year beginning
14 July 1, 2012, and ending June 30, 2013, the following amounts,
15 or so much thereof as is necessary, to be used for the purposes
16 designated:

17 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

18 For salaries, support, maintenance, and miscellaneous
19 purposes, including the war orphans educational assistance fund
20 created in section 35.8, and for not more than the following
21 full-time equivalent positions:

22 \$ 499,416
23 1,010,832
24 FTEs 16.34

25 2. IOWA VETERANS HOME

26 For salaries, support, maintenance, and miscellaneous
27 purposes:

28 \$ 4,476,075
29 8,952,151

30 a. The Iowa veterans home billings involving the department
31 of human services shall be submitted to the department on at
32 least a monthly basis.

33 b. If there is a change in the employer of employees
34 providing services at the Iowa veterans home under a collective
35 bargaining agreement, such employees and the agreement shall

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1 be continued by the successor employer as though there had not
2 been a change in employer.

3 c. Within available resources and in conformance with
4 associated state and federal program eligibility requirements,
5 the Iowa veterans home may implement measures to provide
6 financial assistance to or on behalf of veterans or their
7 spouses who are participating in the community reentry program.

8 d. The Iowa veterans home expenditure report shall be
9 submitted monthly to the legislative services agency.

10 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF DECEASED
11 VETERANS

12 For provision of educational assistance pursuant to section
13 35.9:

14 \$ 6,208
15 12,416

16 4. HOME OWNERSHIP ASSISTANCE PROGRAM

17 For transfer to the Iowa finance authority for the
18 continuation of the home ownership assistance program for
19 persons who are or were eligible members of the armed forces of
20 the United States, pursuant to section 16.54:

21 \$ 1,600,000

22 Sec. 4. 2011 Iowa Acts, chapter 129, section 116, is amended
23 to read as follows:

24 SEC. 116. LIMITATION OF COUNTY COMMISSION OF VETERANS
25 AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding the
26 standing appropriation in the following designated section for
27 the fiscal year beginning July 1, 2012, and ending June 30,
28 2013, the amounts appropriated from the general fund of the
29 state pursuant to that section for the following designated
30 purposes shall not exceed the following amount:

31 For the county commissions of veterans affairs fund under
32 section 35A.16:

33 \$ 495,000
34 990,000

35 DIVISION IV

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DEPARTMENT OF HUMAN SERVICES

2 Sec. 5. 2011 Iowa Acts, chapter 129, section 117, is amended
3 to read as follows:

4 SEC. 117. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
5 GRANT. There is appropriated from the fund created in section
6 8.41 to the department of human services for the fiscal year
7 beginning July 1, 2012, and ending June 30, 2013, from moneys
8 received under the federal temporary assistance for needy
9 families (TANF) block grant pursuant to the federal Personal
10 Responsibility and Work Opportunity Reconciliation Act of 1996,
11 Pub. L. No. 104-193, and successor legislation, and from moneys
12 received under the emergency contingency fund for temporary
13 assistance for needy families state program established
14 pursuant to the federal American Recovery and Reinvestment Act
15 of 2009, Pub. L. No. 111-5 § 2101, and successor legislation,
16 the following amounts, or so much thereof as is necessary, to
17 be used for the purposes designated:

18 1. To be credited to the family investment program account
19 and used for assistance under the family investment program
20 under chapter 239B:

21	\$ 10,750,369
22		19,790,365

23 2. To be credited to the family investment program account
24 and used for the job opportunities and basic skills (JOBS)
25 program and implementing family investment agreements in
26 accordance with chapter 239B:

27	\$ 6,205,764
28	12,411,528

29 3. To be used for the family development and
30 self-sufficiency grant program in accordance with section
31 216A.107;

32	\$ 1,449,490
33	2,898,980

34 Notwithstanding section 8.33, moneys appropriated in this
35 subsection that remain unencumbered or unobligated at the close

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1 of the fiscal year shall not revert but shall remain available
2 for expenditure for the purposes designated until the close of
3 the succeeding fiscal year. However, unless such moneys are
4 encumbered or obligated on or before September 30, 2013, the
5 moneys shall revert.

6 4. For field operations:

7 \$ ~~15,648,116~~
8 31,296,232

9 5. For general administration:

10 \$ ~~1,872,000~~
11 3,744,000

12 6. For state child care assistance:

13 \$ ~~8,191,343~~
14 16,382,687

15 The funds appropriated in this subsection shall be
16 transferred to the child care and development block grant
17 appropriation made pursuant to 2011 Iowa Acts, chapter
18 126, section 32, by the Eighty-fourth General Assembly,
19 2012 Session, for the federal fiscal year beginning October
20 1, 2012, and ending September 30, 2013. Of this amount,
21 ~~\$100,000~~ \$200,000 shall be used for provision of educational
22 opportunities to registered child care home providers in order
23 to improve services and programs offered by this category
24 of providers and to increase the number of providers. The
25 department may contract with institutions of higher education
26 or child care resource and referral centers to provide
27 the educational opportunities. Allowable administrative
28 costs under the contracts shall not exceed 5 percent. The
29 application for a grant shall not exceed two pages in length.

30 7. For distribution to counties for state case services
31 for persons with mental health and illness, an intellectual
32 disability, or a developmental disabilities community services
33 disability in accordance with section 331.440:

34 \$ ~~2,447,026~~
35 4,894,052

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1 8. For child and family services:
2 \$ ~~16,042,215~~
3 32,084,430
4 9. For child abuse prevention grants:
5 \$ ~~62,500~~
6 125,000
7 10. For pregnancy prevention grants on the condition that
8 family planning services are funded:
9 \$ ~~965,033~~
10 1,930,067
11 Pregnancy prevention grants shall be awarded to programs
12 in existence on or before July 1, 2012, if the programs have
13 demonstrated positive outcomes. Grants shall be awarded to
14 pregnancy prevention programs which are developed after July
15 1, 2012, if the programs are based on existing models that
16 have demonstrated positive outcomes. Grants shall comply with
17 the requirements provided in 1997 Iowa Acts, chapter 208,
18 section 14, subsections 1 and 2, including the requirement that
19 grant programs must emphasize sexual abstinence. Priority in
20 the awarding of grants shall be given to programs that serve
21 areas of the state which demonstrate the highest percentage of
22 unplanned pregnancies of females of childbearing age within the
23 geographic area to be served by the grant.
24 11. For technology needs and other resources necessary
25 to meet federal welfare reform reporting, tracking, and case
26 management requirements:
27 \$ ~~518,593~~
28 1,037,186
29 12. To be credited to the state child care assistance
30 appropriation made in this section to be used for funding of
31 community-based early childhood programs targeted to children
32 from birth through five years of age developed by early
33 childhood Iowa areas as provided in section 256I.11:
34 \$ ~~3,175,000~~
35 6,350,000

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1 The department shall transfer TANF block grant funding
2 appropriated and allocated in this subsection to the child care
3 and development block grant appropriation in accordance with
4 federal law as necessary to comply with the provisions of this
5 subsection.

6 13. a. Notwithstanding any provision to the contrary,
7 including but not limited to requirements in section 8.41 or
8 provisions in 2011 or 2012 Iowa Acts regarding the receipt
9 and appropriation of federal block grants, federal funds
10 from the ~~emergency contingency fund~~ for temporary assistance
11 for needy families ~~state program established pursuant to the~~
12 ~~federal American Recovery and Reinvestment Act of 2009, Pub.~~
13 ~~L. No. 111-5 § 2101,~~ block grant received by the state during
14 ~~the fiscal year beginning July 1, 2011, and ending June 30,~~
15 ~~2012,~~ not otherwise appropriated in this section and remaining
16 available ~~as of~~ for the fiscal year beginning July 1, 2012, and
17 ~~received by the state during the fiscal year beginning July~~
18 ~~1, 2012, and ending June 30, 2013,~~ are appropriated to the
19 department of human services to the extent as may be necessary
20 to be used in the following priority order: the family
21 investment program for the fiscal year and for state child care
22 assistance program payments for individuals enrolled in the
23 family investment program who are employed. The federal funds
24 appropriated in this paragraph "a" shall be expended only after
25 all other funds appropriated in subsection 1 for the assistance
26 under the family investment program under chapter 239B have
27 been expended.

28 b. The department shall, on a quarterly basis, advise the
29 legislative services agency and department of management of
30 the amount of funds appropriated in this subsection that was
31 expended in the prior quarter.

32 14. Of the amounts appropriated in this section, ~~\$6,481,004~~
33 \$12,962,008 for the fiscal year beginning July 1, 2012, shall
34 be transferred to the appropriation of the federal social
35 services block grant made for that fiscal year.



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1 15. For continuation of the program allowing the department
2 to maintain categorical eligibility for the food assistance
3 program as required under the section of this division relating
4 to the family investment account:

5 \$ 73,036
6 25,000

7 16. The department may transfer funds allocated in this
8 section to the appropriations made in this division of this Act
9 for general administration and field operations for resources
10 necessary to implement and operate the services referred to in
11 this section and those funded in the appropriation made in this
12 division of this Act for the family investment program from the
13 general fund of the state.

14 Sec. 6. 2011 Iowa Acts, chapter 129, section 118, is amended
15 to read as follows:

16 SEC. 118. FAMILY INVESTMENT PROGRAM ACCOUNT.

17 1. Moneys credited to the family investment program (FIP)
18 account for the fiscal year beginning July 1, 2012, and
19 ending June 30, 2013, shall be used to provide assistance in
20 accordance with chapter 239B.

21 2. The department may use a portion of the moneys credited
22 to the FIP account under this section as necessary for
23 salaries, support, maintenance, and miscellaneous purposes.

24 3. The department may transfer funds allocated in this
25 section to the appropriations in this division of this Act
26 for general administration and field operations for resources
27 necessary to implement and operate the services referred to in
28 this section and those funded in the appropriation made in this
29 division of this Act for the family investment program from the
30 general fund of the state.

31 4. Moneys appropriated in this division of this Act and
32 credited to the FIP account for the fiscal year beginning July
33 1, 2012, and ending June 30, 2013, are allocated as follows:

34 a. To be retained by the department of human services to
35 be used for coordinating with the department of human rights

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1 to more effectively serve participants in the FIP program and
2 other shared clients and to meet federal reporting requirements
3 under the federal temporary assistance for needy families block
4 grant:

5 \$ ~~10,000~~
6 20,000

7 b. To the department of human rights for staffing,
8 administration, and implementation of the family development
9 and self-sufficiency grant program in accordance with section
10 216A.107:

11 \$ ~~2,671,417~~
12 5,942,834

13 (1) Of the funds allocated for the family development and
14 self-sufficiency grant program in this lettered paragraph,
15 not more than 5 percent of the funds shall be used for the
16 administration of the grant program.

17 (2) The department of human rights may continue to implement
18 the family development and self-sufficiency grant program
19 statewide during fiscal year 2012-2013.

20 c. For the diversion subaccount of the FIP account:

21 \$ ~~849,200~~
22 1,698,400

23 A portion of the moneys allocated for the subaccount may
24 be used for field operations salaries, data management system
25 development, and implementation costs and support deemed
26 necessary by the director of human services in order to
27 administer the FIP diversion program.

28 d. For the food stamp employment and training program:

29 \$ ~~33,294~~
30 66,588

31 (1) The department shall amend the food stamp employment and
32 training state plan in order to maximize to the fullest extent
33 permitted by federal law the use of the 50-50 match provisions
34 for the claiming of allowable federal matching funds from the
35 United States department of agriculture pursuant to the federal

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1 food stamp employment and training program for providing
2 education, employment, and training services for eligible food
3 assistance program participants, including but not limited to
4 related dependent care and transportation expenses.

5 (2) The department shall continue the categorical federal
6 food assistance program eligibility at 160 percent of the
7 federal poverty level and continue to eliminate the asset test
8 from eligibility requirements, consistent with federal food
9 assistance program requirements. The department shall include
10 as many food assistance households as is allowed by federal
11 law. The eligibility provisions shall conform to all federal
12 requirements including requirements addressing individuals who
13 are incarcerated or otherwise ineligible.

14 e. For the JOBS program:

15 \$ ~~10,117,952~~
16 20,235,905

17 5. Of the child support collections assigned under FIP,
18 an amount equal to the federal share of support collections
19 shall be credited to the child support recovery appropriation
20 made in this division of this Act. Of the remainder of the
21 assigned child support collections received by the child
22 support recovery unit, a portion shall be credited to the FIP
23 account, a portion may be used to increase recoveries, and a
24 portion may be used to sustain cash flow in the child support
25 payments account. If as a consequence of the appropriations
26 and allocations made in this section the resulting amounts
27 are insufficient to sustain cash assistance payments and meet
28 federal maintenance of effort requirements, the department
29 shall seek supplemental funding. If child support collections
30 assigned under FIP are greater than estimated or are otherwise
31 determined not to be required for maintenance of effort, the
32 state share of either amount may be transferred to or retained
33 in the child support payment account.

34 6. The department may adopt emergency rules for the family
35 investment, JOBS, food stamp, and medical assistance programs

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1 if necessary to comply with federal requirements.

2 Sec. 7. 2011 Iowa Acts, chapter 129, section 119, is amended
3 to read as follows:

4 SEC. 119. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
5 is appropriated from the general fund of the state to the
6 department of human services for the fiscal year beginning July
7 1, 2012, and ending June 30, 2013, the following amount, or
8 so much thereof as is necessary, to be used for the purpose
9 designated:

10 To be credited to the family investment program (FIP)
11 account and used for family investment program assistance under
12 chapter 239B:

13 \$ ~~25,085,513~~
14 50,742,028

15 1. Of the funds appropriated in this section, ~~\$3,912,188~~
16 \$7,824,377 is allocated for the JOBS program.

17 2. Of the funds appropriated in this section, ~~\$1,231,927~~
18 \$3,063,854 is allocated for the family development and
19 self-sufficiency grant program.

20 3. Notwithstanding section 8.39, for the fiscal year
21 beginning July 1, 2012, if necessary to meet federal
22 maintenance of effort requirements or to transfer federal
23 temporary assistance for needy families block grant funding
24 to be used for purposes of the federal social services block
25 grant or to meet cash flow needs resulting from delays in
26 receiving federal funding or to implement, in accordance with
27 this division of this Act, activities currently funded with
28 juvenile court services, county, or community moneys and state
29 moneys used in combination with such moneys, the department
30 of human services may transfer funds within or between any
31 of the appropriations made in this division of this Act and
32 appropriations in law for the federal social services block
33 grant to the department for the following purposes, provided
34 that the combined amount of state and federal temporary
35 assistance for needy families block grant funding for each

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1 appropriation remains the same before and after the transfer:

2 a. For the family investment program.

3 b. For child care assistance.

4 c. For child and family services.

5 d. For field operations.

6 e. For general administration.

7 f. ~~MH/MR/DD/BI community services (local purchase).~~

8 For distribution to counties for state case services for

9 persons with mental illness, an intellectual disability, or a

10 developmental disability in accordance with section 331.440.

11 This subsection shall not be construed to prohibit the use

12 of existing state transfer authority for other purposes. The

13 department shall report any transfers made pursuant to this

14 subsection to the legislative services agency.

15 4. Of the funds appropriated in this section, ~~\$97,839~~

16 \$195,678 shall be used for continuation of a grant to an

17 Iowa-based nonprofit organization with a history of providing

18 tax preparation assistance to low-income Iowans in order to

19 expand the usage of the earned income tax credit. The purpose

20 of the grant is to supply this assistance to underserved areas

21 of the state.

22 4A. Of the funds appropriated in this section, \$500,000

23 shall be used for distribution to a nonprofit, tax-exempt

24 association that receives donations under section 170 of the

25 Internal Revenue Code and whose members include Iowa food

26 banks and their affiliates that together serve all counties

27 in the state, to be used to purchase food for distribution to

28 food-insecure Iowans:

29 \$ 500,000

30 In purchasing food under this subsection, a preference

31 shall be given to the purchase of food produced, processed, or

32 packaged within this state whenever reasonably practicable.

33 5. The department may transfer funds appropriated in this

34 section to the appropriations made in this division of this Act

35 for general administration and field operations as necessary

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1 to administer this section and the overall family investment
2 program.

3 Sec. 8. 2011 Iowa Acts, chapter 129, section 120, is amended
4 to read as follows:

5 SEC. 120. CHILD SUPPORT RECOVERY. There is appropriated
6 from the general fund of the state to the department of human
7 services for the fiscal year beginning July 1, 2012, and ending
8 June 30, 2013, the following amount, or so much thereof as is
9 necessary, to be used for the purposes designated:

10 For child support recovery, including salaries, support,
11 maintenance, and miscellaneous purposes, and for not more than
12 the following full-time equivalent positions:

13	\$	6,559,627
14		<u>13,377,993</u>
15	FTEs	475.00

16 1. The department shall expend up to ~~\$12,164~~ \$24,329,
17 including federal financial participation, for the fiscal year
18 beginning July 1, 2012, for a child support public awareness
19 campaign. The department and the office of the attorney
20 general shall cooperate in continuation of the campaign. The
21 public awareness campaign shall emphasize, through a variety
22 of media activities, the importance of maximum involvement of
23 both parents in the lives of their children as well as the
24 importance of payment of child support obligations.

25 2. Federal access and visitation grant moneys shall be
26 issued directly to private not-for-profit agencies that provide
27 services designed to increase compliance with the child access
28 provisions of court orders, including but not limited to
29 neutral visitation sites and mediation services.

30 3. The appropriation made to the department for child
31 support recovery may be used throughout the fiscal year in the
32 manner necessary for purposes of cash flow management, and for
33 cash flow management purposes the department may temporarily
34 draw more than the amount appropriated, provided the amount
35 appropriated is not exceeded at the close of the fiscal year.

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1 4. With the exception of the funding amount specified, the
2 requirements established under 2001 Iowa Acts, chapter 191,
3 section 3, subsection 5, paragraph "c", subparagraph (3), shall
4 be applicable to parental obligation pilot projects for the
5 fiscal year beginning July 1, 2012, and ending June 30, 2013.
6 Notwithstanding 441 IAC 100.8, providing for termination of
7 rules relating to the pilot projects, the rules shall remain
8 in effect until June 30, 2013.

9 MEDICAL ASSISTANCE PROGRAM

10 Sec. 9. 2011 Iowa Acts, chapter 129, section 122, unnumbered
11 paragraph 2, is amended to read as follows:

12 For medical assistance program reimbursement and associated
13 costs as specifically provided in the reimbursement
14 methodologies in effect on June 30, 2012, except as otherwise
15 expressly authorized by law, and consistent with options under
16 federal law and regulations:

17 ~~\$914,993,421~~
18 845,251,256

19 MEDICAL ASSISTANCE — DISPROPORTIONATE SHARE HOSPITAL

20 Sec. 10. 2011 Iowa Acts, chapter 129, section 122,
21 subsection 11, paragraph a, unnumbered paragraph 1, is amended
22 to read as follows:

23 Of the funds appropriated in this section, ~~\$7,425,684~~
24 \$7,678,245 is allocated for the state match for a
25 disproportionate share hospital payment of \$19,133,430 to
26 hospitals that meet both of the conditions specified in
27 subparagraphs (1) and (2). In addition, the hospitals that
28 meet the conditions specified shall either certify public
29 expenditures or transfer to the medical assistance program
30 an amount equal to provide the nonfederal share for a
31 disproportionate share hospital payment of \$7,500,000. The
32 hospitals that meet the conditions specified shall receive and
33 retain 100 percent of the total disproportionate share hospital
34 payment of \$26,633,430.

35 MEDICAL ASSISTANCE — IOWACARE TRANSFER

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1 Sec. 11. 2011 Iowa Acts, chapter 129, section 122,
2 subsection 13, is amended to read as follows:

3 13. Of the funds appropriated in this section, up to
4 ~~\$4,480,304~~ \$8,684,329 may be transferred to the IowaCare
5 account created in section 249J.24.

6 MEDICAL ASSISTANCE — COST CONTAINMENT STRATEGIES

7 Sec. 12. 2011 Iowa Acts, chapter 129, section 122,
8 subsection 20, paragraphs a and d, are amended to read as
9 follows:

10 a. The department may continue to implement cost
11 containment strategies recommended by the governor, and for
12 the fiscal year beginning July 1, 2011, and shall implement
13 new strategies for the fiscal year beginning July 1, 2012, as
14 specified in this division of this 2012 Act. The department
15 may adopt emergency rules for such implementation.

16 d. If the savings to the medical assistance program for
17 the fiscal year beginning July 1, 2012, exceed the cost, the
18 department may transfer any savings generated for the fiscal
19 year due to medical assistance program cost containment efforts
20 initiated pursuant to 2010 Iowa Acts, chapter 1031, Executive
21 Order No. 20, issued December 16, 2009, or cost containment
22 strategies initiated pursuant to this subsection, to the
23 appropriation made in this division of this Act for medical
24 contracts or general administration to defray the increased
25 contract costs associated with implementing such efforts.

26 Sec. 13. 2011 Iowa Acts, chapter 129, section 122, is
27 amended by adding the following new subsections:

28 NEW SUBSECTION. 23. The department shall implement a
29 hospital inpatient reimbursement policy to provide for the
30 combining of an original claim for an inpatient stay with a
31 claim for a subsequent inpatient stay when the patient is
32 admitted within seven days of discharge from the original
33 hospital stay for the same condition.

34 NEW SUBSECTION. 24. The department shall transition
35 payment for and administration of services provided by

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1 psychiatric medical institutions for children to the Iowa plan.

2 MEDICAL ASSISTANCE FOR EMPLOYED PEOPLE WITH DISABILITIES

3 Sec. 14. 2011 Iowa Acts, chapter 129, section 122, is
4 amended by adding the following new subsection:

5 NEW SUBSECTION. 25. The department of human services
6 shall adopt rules for the Medicaid for employed people with
7 disabilities program to provide that until such time as
8 the department adopts rules, annually, to implement the
9 most recently revised poverty guidelines published by the
10 United States department of health and human services, the
11 calculation of gross income eligibility shall not include any
12 increase in unearned income attributable to a social security
13 cost-of-living adjustment for an individual or member of the
14 individual's family whose unearned income is included in such
15 calculation.

16 STATE BALANCING INCENTIVE PAYMENTS PROGRAM

17 Sec. 15. 2011 Iowa Acts, chapter 129, section 122, is
18 amended by adding the following new subsection:

19 NEW SUBSECTION. 27. The funds received through
20 participation in the medical assistance state balancing
21 incentive payments program created pursuant to section 10202
22 of the federal Patient Protection and Affordable Care Act of
23 2010, Pub. L. No. 111-148 (2010), as amended by the federal
24 Health Care and Education Reconciliation Act of 2010, Pub.
25 L. No. 111-152, are appropriated to and shall be used by the
26 department of human services to comply with the requirements
27 of the program including developing a no wrong door single
28 entry point system; providing a conflict-free case management
29 system; providing core standardized assessment instruments;
30 complying with data collection requirements relating to
31 services, quality, and outcomes; meeting the applicable target
32 spending percentage required under the program to rebalance
33 long-term care spending under the medical assistance program
34 between home and community-based services and institution-based
35 services; and for new or expanded medical assistance program

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1 non-institutionally based long-term care services and supports.

2 Sec. 16. 2011 Iowa Acts, chapter 129, section 123, is
3 amended to read as follows:

4 SEC. 123. MEDICAL CONTRACTS. There is appropriated from the
5 general fund of the state to the department of human services
6 for the fiscal year beginning July 1, 2012, and ending June 30,
7 2013, the following amount, or so much thereof as is necessary,
8 to be used for the purpose designated:

9 For medical contracts:

10	\$	5,453,728
11		<u>8,460,680</u>

12 1. The department of inspections and appeals shall
13 provide all state matching funds for survey and certification
14 activities performed by the department of inspections
15 and appeals. The department of human services is solely
16 responsible for distributing the federal matching funds for
17 such activities.

18 2. Of the funds appropriated in this section, ~~\$25,000~~
19 \$50,000 shall be used for continuation of home and
20 community-based services waiver quality assurance programs,
21 including the review and streamlining of processes and policies
22 related to oversight and quality management to meet state and
23 federal requirements.

24 3. Of the amount appropriated in this section, up to
25 \$200,000 may be transferred to the appropriation for general
26 administration in this division of this Act to be used for
27 additional full-time equivalent positions in the development of
28 key health initiatives such as cost containment, development
29 and oversight of managed care programs, and development of
30 health strategies targeted toward improved quality and reduced
31 costs in the Medicaid program.

32 Sec. 17. 2011 Iowa Acts, chapter 129, section 124, is
33 amended to read as follows:

34 SEC. 124. STATE SUPPLEMENTARY ASSISTANCE.

35 1. There is appropriated from the general fund of the

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1 state to the department of human services for the fiscal year
2 beginning July 1, 2012, and ending June 30, 2013, the following
3 amount, or so much thereof as is necessary, to be used for the
4 purpose designated:

5 For the state supplementary assistance program:

6 \$ ~~8,425,373~~
7 15,450,747

8 2. The department shall increase the personal needs
9 allowance for residents of residential care facilities by the
10 same percentage and at the same time as federal supplemental
11 security income and federal social security benefits are
12 increased due to a recognized increase in the cost of living.
13 The department may adopt emergency rules to implement this
14 subsection.

15 3. If during the fiscal year beginning July 1, 2012,
16 the department projects that state supplementary assistance
17 expenditures for a calendar year will not meet the federal
18 pass-through requirement specified in Tit. XVI of the federal
19 Social Security Act, section 1618, as codified in 42 U.S.C.
20 § 1382g, the department may take actions including but not
21 limited to increasing the personal needs allowance for
22 residential care facility residents and making programmatic
23 adjustments or upward adjustments of the residential care
24 facility or in-home health-related care reimbursement rates
25 prescribed in this division of this Act to ensure that federal
26 requirements are met. In addition, the department may make
27 other programmatic and rate adjustments necessary to remain
28 within the amount appropriated in this section while ensuring
29 compliance with federal requirements. The department may adopt
30 emergency rules to implement the provisions of this subsection.

31 Sec. 18. 2011 Iowa Acts, chapter 129, section 125, is
32 amended to read as follows:

33 SEC. 125. CHILDREN'S HEALTH INSURANCE PROGRAM.

34 1. There is appropriated from the general fund of the
35 state to the department of human services for the fiscal year

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1 beginning July 1, 2012, and ending June 30, 2013, the following
2 amount, or so much thereof as is necessary, to be used for the
3 purpose designated:

4 For maintenance of the healthy and well kids in Iowa (hawk-i)
5 program pursuant to chapter 514I, including supplemental dental
6 services, for receipt of federal financial participation under
7 Tit. XXI of the federal Social Security Act, which creates the
8 children's health insurance program:

9 \$ ~~16,403,051~~
10 40,400,160

11 2. Of the funds appropriated in this section, ~~\$64,475~~
12 \$128,950 is allocated for continuation of the contract for
13 outreach with the department of public health.

14 Sec. 19. 2011 Iowa Acts, chapter 129, section 126, is
15 amended to read as follows:

16 SEC. 126. CHILD CARE ASSISTANCE. There is appropriated
17 from the general fund of the state to the department of human
18 services for the fiscal year beginning July 1, 2012, and ending
19 June 30, 2013, the following amount, or so much thereof as is
20 necessary, to be used for the purpose designated:

21 For child care programs:

22 \$ ~~26,618,831~~
23 61,087,940

24 1. Of the funds appropriated in this section, ~~\$25,948,041~~
25 \$59,718,513 shall be used for state child care assistance in
26 accordance with section 237A.13.

27 2. Nothing in this section shall be construed or is
28 intended as or shall imply a grant of entitlement for services
29 to persons who are eligible for assistance due to an income
30 level consistent with the waiting list requirements of section
31 237A.13. Any state obligation to provide services pursuant to
32 this section is limited to the extent of the funds appropriated
33 in this section.

34 3. Of the funds appropriated in this section, ~~\$216,226~~
35 \$432,453 is allocated for the statewide program for child care

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1 resource and referral services under section 237A.26. A list
2 of the registered and licensed child care facilities operating
3 in the area served by a child care resource and referral
4 service shall be made available to the families receiving state
5 child care assistance in that area.

6 4. Of the funds appropriated in this section, ~~\$468,487~~
7 \$936,974 is allocated for child care quality improvement
8 initiatives including but not limited to the voluntary quality
9 rating system in accordance with section 237A.30.

10 5. The department may use any of the funds appropriated
11 in this section as a match to obtain federal funds for use in
12 expanding child care assistance and related programs. For
13 the purpose of expenditures of state and federal child care
14 funding, funds shall be considered obligated at the time
15 expenditures are projected or are allocated to the department's
16 service areas. Projections shall be based on current and
17 projected caseload growth, current and projected provider
18 rates, staffing requirements for eligibility determination
19 and management of program requirements including data systems
20 management, staffing requirements for administration of the
21 program, contractual and grant obligations and any transfers
22 to other state agencies, and obligations for decategorization
23 or innovation projects.

24 6. A portion of the state match for the federal child care
25 and development block grant shall be provided as necessary to
26 meet federal matching funds requirements through the state
27 general fund appropriation made for child development grants
28 and other programs for at-risk children in section 279.51.

29 7. If a uniform reduction ordered by the governor under
30 section 8.31 or other operation of law, transfer, or federal
31 funding reduction reduces the appropriation made in this
32 section for the fiscal year, the percentage reduction in the
33 amount paid out to or on behalf of the families participating
34 in the state child care assistance program shall be equal to or
35 less than the percentage reduction made for any other purpose

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1 payable from the appropriation made in this section and the
2 federal funding relating to it. The percentage reduction to
3 the other allocations made in this section shall be the same as
4 the uniform reduction ordered by the governor or the percentage
5 change of the federal funding reduction, as applicable.

6 If there is an unanticipated increase in federal funding
7 provided for state child care assistance, the entire amount
8 of the increase shall be used for state child care assistance
9 payments. If the appropriations made for purposes of the
10 state child care assistance program for the fiscal year are
11 determined to be insufficient, it is the intent of the general
12 assembly to appropriate sufficient funding for the fiscal year
13 in order to avoid establishment of waiting list requirements.

14 8. Notwithstanding section 8.33, moneys ~~appropriated~~
15 ~~in this section or~~ advanced for purposes of the programs
16 developed by early childhood Iowa areas, advanced for purposes
17 of wraparound child care, or received from the federal
18 appropriations made for the purposes of this section that
19 remain unencumbered or unobligated at the close of the fiscal
20 year shall not revert to any fund but shall remain available
21 for expenditure for the purposes designated until the close of
22 the succeeding fiscal year.

23 Sec. 20. 2011 Iowa Acts, chapter 129, section 127, is
24 amended to read as follows:

25 SEC. 127. JUVENILE INSTITUTIONS. There is appropriated
26 from the general fund of the state to the department of human
27 services for the fiscal year beginning July 1, 2012, and ending
28 June 30, 2013, the following amounts, or so much thereof as is
29 necessary, to be used for the purposes designated:

30 1. For operation of the Iowa juvenile home at Toledo and for	
31 salaries, support, maintenance, and miscellaneous purposes, and	
32 for not more than the following full-time equivalent positions:	
33	\$ 4,129,125
34	8,328,264
35	FTEs 114.00

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1 2. For operation of the state training school at Eldora and
2 for salaries, support, maintenance, and miscellaneous purposes,
3 and for not more than the following full-time equivalent
4 positions:

5	\$	5,319,338
6		<u>10,740,988</u>
7	FTEs	164.30

8 Of the funds appropriated in this subsection, ~~\$45,575~~
9 \$91,150 shall be used for distribution to licensed classroom
10 teachers at this and other institutions under the control of
11 the department of human services based upon the average student
12 yearly enrollment at each institution as determined by the
13 department.

14 3. A portion of the moneys appropriated in this section
15 shall be used by the state training school and by the Iowa
16 juvenile home for grants for adolescent pregnancy prevention
17 activities at the institutions in the fiscal year beginning
18 July 1, 2012.

19 Sec. 21. 2011 Iowa Acts, chapter 129, section 128, is
20 amended to read as follows:

21 SEC. 128. CHILD AND FAMILY SERVICES.

22 1. There is appropriated from the general fund of the
23 state to the department of human services for the fiscal year
24 beginning July 1, 2012, and ending June 30, 2013, the following
25 amount, or so much thereof as is necessary, to be used for the
26 purpose designated:

27 For child and family services:

28	\$	41,415,081
29		<u>83,669,130</u>

30 2. In order to address a reduction of \$5,200,000 from the
31 amount allocated under the appropriation made for the purposes
32 of this section in prior years for purposes of juvenile
33 delinquent graduated sanction services, up to ~~\$2,600,000~~
34 \$5,200,000 of the amount of federal temporary assistance
35 for needy families block grant funding appropriated in this

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1 division of this Act for child and family services shall be
2 made available for purposes of juvenile delinquent graduated
3 sanction services.

4 3. The department may transfer funds appropriated in this
5 section as necessary to pay the nonfederal costs of services
6 reimbursed under the medical assistance program, state child
7 care assistance program, or the family investment program which
8 are provided to children who would otherwise receive services
9 paid under the appropriation in this section. The department
10 may transfer funds appropriated in this section to the
11 appropriations made in this division of this Act for general
12 administration and for field operations for resources necessary
13 to implement and operate the services funded in this section.

14 4. a. Of the funds appropriated in this section, up
15 to ~~\$15,084,564~~ \$31,372,177 is allocated as the statewide
16 expenditure target under section 232.143 for group foster care
17 maintenance and services. If the department projects that such
18 expenditures for the fiscal year will be less than the target
19 amount allocated in this lettered paragraph, the department may
20 reallocate the excess to provide additional funding for shelter
21 care or the child welfare emergency services addressed with the
22 allocation for shelter care.

23 b. If at any time after September 30, 2012, annualization
24 of a service area's current expenditures indicates a service
25 area is at risk of exceeding its group foster care expenditure
26 target under section 232.143 by more than 5 percent, the
27 department and juvenile court services shall examine all
28 group foster care placements in that service area in order to
29 identify those which might be appropriate for termination.
30 In addition, any aftercare services believed to be needed
31 for the children whose placements may be terminated shall be
32 identified. The department and juvenile court services shall
33 initiate action to set dispositional review hearings for the
34 placements identified. In such a dispositional review hearing,
35 the juvenile court shall determine whether needed aftercare

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1 services are available and whether termination of the placement
2 is in the best interest of the child and the community.

3 5. In accordance with the provisions of section 232.188,
4 the department shall continue the child welfare and juvenile
5 justice funding initiative during fiscal year 2012-2013. Of
6 the funds appropriated in this section, ~~\$858,876~~ \$1,717,753
7 is allocated specifically for expenditure for fiscal year
8 2012-2013 through the decategorization service funding pools
9 and governance boards established pursuant to section 232.188.

10 6. A portion of the funds appropriated in this section
11 may be used for emergency family assistance to provide other
12 resources required for a family participating in a family
13 preservation or reunification project or successor project to
14 stay together or to be reunified.

15 7. Notwithstanding section 234.35 or any other provision
16 of law to the contrary, state funding for shelter care and
17 the child welfare emergency services contracting implemented
18 to provide for or prevent the need for shelter care shall be
19 limited to ~~\$3,585,058~~ \$7,370,116. The department may continue
20 or execute contracts that result from the department's request
21 for proposal, bid number ACFS-11-114, to provide the range of
22 child welfare emergency services described in the request for
23 proposals, and any subsequent amendments to the request for
24 proposals.

25 8. Federal funds received by the state during the fiscal
26 year beginning July 1, 2012, as the result of the expenditure
27 of state funds appropriated during a previous state fiscal
28 year for a service or activity funded under this section are
29 appropriated to the department to be used as additional funding
30 for services and purposes provided for under this section.
31 Notwithstanding section 8.33, moneys received in accordance
32 with this subsection that remain unencumbered or unobligated at
33 the close of the fiscal year shall not revert to any fund but
34 shall remain available for the purposes designated until the
35 close of the succeeding fiscal year.

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1 ~~9. Of the funds appropriated in this section, at least~~
2 ~~\$1,848,142 shall be used for protective child care assistance.~~
3 10. a. Of the funds appropriated in this section, up to
4 ~~\$1,031,244~~ \$2,062,488 is allocated for the payment of the
5 expenses of court-ordered services provided to juveniles who
6 are under the supervision of juvenile court services, which
7 expenses are a charge upon the state pursuant to section
8 232.141, subsection 4. Of the amount allocated in this
9 lettered paragraph, up to ~~\$778,143~~ \$1,556,287 shall be made
10 available to provide school-based supervision of children
11 adjudicated under chapter 232, of which not more than ~~\$7,500~~
12 \$15,000 may be used for the purpose of training. A portion of
13 the cost of each school-based liaison officer shall be paid by
14 the school district or other funding source as approved by the
15 chief juvenile court officer.
16 b. Of the funds appropriated in this section, up to ~~\$374,492~~
17 \$748,985 is allocated for the payment of the expenses of
18 court-ordered services provided to children who are under the
19 supervision of the department, which expenses are a charge upon
20 the state pursuant to section 232.141, subsection 4.
21 c. Notwithstanding section 232.141 or any other provision
22 of law to the contrary, the amounts allocated in this
23 subsection shall be distributed to the judicial districts
24 as determined by the state court administrator and to the
25 department's service areas as determined by the administrator
26 of the department's division of child and family services. The
27 state court administrator and the division administrator shall
28 make the determination of the distribution amounts on or before
29 June 15, 2012.
30 d. Notwithstanding chapter 232 or any other provision of
31 law to the contrary, a district or juvenile court shall not
32 order any service which is a charge upon the state pursuant
33 to section 232.141 if there are insufficient court-ordered
34 services funds available in the district court or departmental
35 service area distribution amounts to pay for the service. The

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1 chief juvenile court officer and the departmental service area
2 manager shall encourage use of the funds allocated in this
3 subsection such that there are sufficient funds to pay for
4 all court-related services during the entire year. The chief
5 juvenile court officers and departmental service area managers
6 shall attempt to anticipate potential surpluses and shortfalls
7 in the distribution amounts and shall cooperatively request the
8 state court administrator or division administrator to transfer
9 funds between the judicial districts' or departmental service
10 areas' distribution amounts as prudent.

11 e. Notwithstanding any provision of law to the contrary,
12 a district or juvenile court shall not order a county to pay
13 for any service provided to a juvenile pursuant to an order
14 entered under chapter 232 which is a charge upon the state
15 under section 232.141, subsection 4.

16 f. Of the funds allocated in this subsection, not more
17 than ~~\$41,500~~ \$83,000 may be used by the judicial branch for
18 administration of the requirements under this subsection.

19 g. Of the funds allocated in this subsection, ~~\$8,500~~ \$17,000
20 shall be used by the department of human services to support
21 the interstate commission for juveniles in accordance with
22 the interstate compact for juveniles as provided in section
23 232.173.

24 11. Of the funds appropriated in this section, ~~\$2,961,301~~
25 \$6,222,602 is allocated for juvenile delinquent graduated
26 sanctions services. Any state funds saved as a result of
27 efforts by juvenile court services to earn federal Tit. IV-E
28 match for juvenile court services administration may be used
29 for the juvenile delinquent graduated sanctions services.

30 12. Of the funds appropriated in this section, ~~\$494,142~~
31 \$2,238,285 shall be transferred to the department of public
32 health to be used for the child protection center grant program
33 in accordance with section 135.118. Of the amount allocated in
34 this subsection, \$250,000 shall be used for a center for the
35 Black Hawk county area.



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1 13. If the department receives federal approval to
2 implement a waiver under Tit. IV-E of the federal Social
3 Security Act to enable providers to serve children who remain
4 in the children's families and communities, for purposes of
5 eligibility under the medical assistance program, children who
6 participate in the waiver shall be considered to be placed in
7 foster care.

8 14. Of the funds appropriated in this section, ~~\$1,534,916~~
9 \$3,092,375 is allocated for the preparation for adult living
10 program pursuant to section 234.46.

11 15. Of the funds appropriated in this section, ~~\$260,075~~
12 \$520,150 shall be used for juvenile drug courts. The amount
13 allocated in this subsection shall be distributed as follows:

14 To the judicial branch for salaries to assist with the
15 operation of juvenile drug court programs operated in the
16 following jurisdictions:

17 a. Marshall county:

18 \$ 31,354
19 62,708

20 b. Woodbury county:

21 \$ 62,841
22 125,682

23 c. Polk county:

24 \$ 97,946
25 195,892

26 d. The third judicial district:

27 \$ 33,967
28 67,934

29 e. The eighth judicial district:

30 \$ 33,967
31 67,934

32 16. Of the funds appropriated in this section, ~~\$113,668~~
33 \$227,337 shall be used for the public purpose of ~~providing~~
34 continuing a grant to a nonprofit human services organization
35 providing services to individuals and families in multiple



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1 locations in southwest Iowa and Nebraska for support of a
2 project providing immediate, sensitive support and forensic
3 interviews, medical exams, needs assessments, and referrals for
4 victims of child abuse and their nonoffending family members.

5 17. Of the funds appropriated in this section, ~~\$62,795~~
6 \$200,590 is allocated for the ~~elevate~~ foster care youth council
7 approach of providing a support network to children placed in
8 foster care.

9 18. Of the funds appropriated in this section, ~~\$101,000~~
10 \$202,000 is allocated for use pursuant to section 235A.1 for
11 continuation of the initiative to address child sexual abuse
12 implemented pursuant to 2007 Iowa Acts, chapter 218, section
13 18, subsection 21.

14 19. Of the funds appropriated in this section, ~~\$315,120~~
15 \$630,240 is allocated for the community partnership for child
16 protection sites.

17 20. Of the funds appropriated in this section, ~~\$185,625~~
18 \$371,250 is allocated for the department's minority youth and
19 family projects under the redesign of the child welfare system.

20 21. Of the funds appropriated in this section, ~~\$600,247~~
21 \$1,436,595 is allocated for funding of the ~~state match for~~
22 community circle of care collaboration for children and
23 youth in northeast Iowa, formerly referred to as the federal
24 substance abuse and mental health services administration
25 (SAMHSA) system of care grant.

26 22. Of the funds appropriated in this section, at least
27 ~~\$73,579~~ \$147,158 shall be used for the child welfare training
28 academy.

29 23. Of the funds appropriated in this section, ~~\$12,500~~
30 \$25,000 shall be used for the public purpose of continuation
31 of a grant to a child welfare services provider headquartered
32 in a county with a population between 205,000 and 215,000 in
33 the latest certified federal census that provides multiple
34 services including but not limited to a psychiatric medical
35 institution for children, shelter, residential treatment, after

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1 school programs, school-based programming, and an Asperger's
2 syndrome program, to be used for support services for children
3 with autism spectrum disorder and their families.

4 23A. Of the funds appropriated in this section, \$25,000
5 shall be used for the public purpose of providing a grant to
6 a hospital-based provider headquartered in a county with a
7 population between 90,000 and 95,000 in the latest certified
8 federal census that provides multiple services including
9 but not limited to diagnostic, therapeutic, and behavioral
10 services to individuals with autism spectrum disorder across
11 the lifespan. The grant recipient shall utilize the funds to
12 implement a pilot project to determine the necessary support
13 services for children with autism spectrum disorder and
14 their families to be included in the children's disabilities
15 services system. The grant recipient shall submit findings and
16 recommendations based upon the results of the pilot project
17 to the individuals specified in this division of this Act for
18 submission of reports by December 31, 2012.

19 24. Of the funds appropriated in this section ~~\$125,000~~
20 \$327,947 shall be used for continuation of the central Iowa
21 system of care program grant through June 30, 2013.

22 25. Of the funds appropriated in this section, ~~\$80,000~~
23 \$160,000 shall be used for the public purpose of the
24 continuation of a system of care grant implemented in Cerro
25 Gordo and Linn counties in accordance with this Act in FY
26 2011-2012.

27 Sec. 22. 2011 Iowa Acts, chapter 129, section 129, is
28 amended to read as follows:

29 SEC. 129. ADOPTION SUBSIDY.

30 1. There is appropriated from the general fund of the
31 state to the department of human services for the fiscal year
32 beginning July 1, 2012, and ending June 30, 2013, the following
33 amount, or so much thereof as is necessary, to be used for the
34 purpose designated:

35 For adoption subsidy payments and services:

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1 \$ ~~16,633,295~~
2 33,238,897

3 2. The department may transfer funds appropriated in
4 this section to the appropriation made in this division of
5 this Act for general administration for costs paid from the
6 appropriation relating to adoption subsidy.

7 3. Federal funds received by the state during the
8 fiscal year beginning July 1, 2012, as the result of the
9 expenditure of state funds during a previous state fiscal
10 year for a service or activity funded under this section are
11 appropriated to the department to be used as additional funding
12 for the services and activities funded under this section.
13 Notwithstanding section 8.33, moneys received in accordance
14 with this subsection that remain unencumbered or unobligated
15 at the close of the fiscal year shall not revert to any fund
16 but shall remain available for expenditure for the purposes
17 designated until the close of the succeeding fiscal year.

18 Sec. 23. 2011 Iowa Acts, chapter 129, section 131, is
19 amended to read as follows:

20 SEC. 131. FAMILY SUPPORT SUBSIDY PROGRAM.

21 1. There is appropriated from the general fund of the
22 state to the department of human services for the fiscal year
23 beginning July 1, 2012, and ending June 30, 2013, the following
24 amount, or so much thereof as is necessary, to be used for the
25 purpose designated:

26 For the family support subsidy program subject to the
27 enrollment restrictions in section 225C.37, subsection 3:

28 \$ ~~583,999~~
29 1,096,784

30 2. The department shall use at least ~~\$192,750~~ \$385,500
31 of the moneys appropriated in this section for the family
32 support center component of the comprehensive family support
33 program under section 225C.47. Not more than ~~\$12,500~~ \$25,000
34 of the amount allocated in this subsection shall be used for
35 administrative costs.



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1 3. If at any time during the fiscal year, the amount of
2 funding available for the family support subsidy program
3 is reduced from the amount initially used to establish the
4 figure for the number of family members for whom a subsidy
5 is to be provided at any one time during the fiscal year,
6 notwithstanding section 225C.38, subsection 2, the department
7 shall revise the figure as necessary to conform to the amount
8 of funding available.

9 Sec. 24. 2011 Iowa Acts, chapter 129, section 132, is
10 amended to read as follows:

11 SEC. 132. CONNER DECREE. There is appropriated from the
12 general fund of the state to the department of human services
13 for the fiscal year beginning July 1, 2012, and ending June 30,
14 2013, the following amount, or so much thereof as is necessary,
15 to be used for the purpose designated:

16 For building community capacity through the coordination
17 and provision of training opportunities in accordance with the
18 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
19 Iowa, July 14, 1994):

20	\$	16,811
21		<u>33,622</u>

22 Sec. 25. 2011 Iowa Acts, chapter 129, section 133, is
23 amended to read as follows:

24 SEC. 133. MENTAL HEALTH INSTITUTES. There is appropriated
25 from the general fund of the state to the department of human
26 services for the fiscal year beginning July 1, 2012, and ending
27 June 30, 2013, the following amounts, or so much thereof as is
28 necessary, to be used for the purposes designated:

29 1. For the state mental health institute at Cherokee for
30 salaries, support, maintenance, and miscellaneous purposes, and
31 for not more than the following full-time equivalent positions:

32	\$	2,938,654
33		<u>5,641,037</u>

34	FTEs	168.50
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35 2. For the state mental health institute at Clarinda for

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1 salaries, support, maintenance, and miscellaneous purposes, and
2 for not more than the following full-time equivalent positions:
3 \$ ~~3,205,867~~
4 6,463,337
5 FTEs 86.10
6 3. For the state mental health institute at Independence for
7 salaries, support, maintenance, and miscellaneous purposes, and
8 for not more than the following full-time equivalent positions:
9 \$ ~~5,137,842~~
10 9,804,212
11 FTEs 233.00
12 4. For the state mental health institute at Mount Pleasant
13 for salaries, support, maintenance, and miscellaneous purposes,
14 and for not more than the following full-time equivalent
15 positions:
16 \$ ~~472,161~~
17 944,323
18 FTEs 97.72
19 Sec. 26. 2011 Iowa Acts, chapter 129, section 134, is
20 amended to read as follows:
21 SEC. 134. STATE RESOURCE CENTERS.
22 1. There is appropriated from the general fund of the
23 state to the department of human services for the fiscal year
24 beginning July 1, 2012, and ending June 30, 2013, the following
25 amounts, or so much thereof as is necessary, to be used for the
26 purposes designated:
27 a. For the state resource center at Glenwood for salaries,
28 support, maintenance, and miscellaneous purposes:
29 \$ ~~9,253,900~~
30 19,092,576
31 b. For the state resource center at Woodward for salaries,
32 support, maintenance, and miscellaneous purposes:
33 \$ ~~6,392,829~~
34 13,176,093
35 2. The department may continue to bill for state resource

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1 center services utilizing a scope of services approach used for
2 private providers of ICFMR services, in a manner which does not
3 shift costs between the medical assistance program, counties,
4 or other sources of funding for the state resource centers.

5 3. The state resource centers may expand the time-limited
6 assessment and respite services during the fiscal year.

7 4. If the department's administration and the department
8 of management concur with a finding by a state resource
9 center's superintendent that projected revenues can reasonably
10 be expected to pay the salary and support costs for a new
11 employee position, or that such costs for adding a particular
12 number of new positions for the fiscal year would be less
13 than the overtime costs if new positions would not be added,
14 the superintendent may add the new position or positions. If
15 the vacant positions available to a resource center do not
16 include the position classification desired to be filled, the
17 state resource center's superintendent may reclassify any
18 vacant position as necessary to fill the desired position. The
19 superintendents of the state resource centers may, by mutual
20 agreement, pool vacant positions and position classifications
21 during the course of the fiscal year in order to assist one
22 another in filling necessary positions.

23 5. If existing capacity limitations are reached in
24 operating units, a waiting list is in effect for a service or
25 a special need for which a payment source or other funding
26 is available for the service or to address the special need,
27 and facilities for the service or to address the special need
28 can be provided within the available payment source or other
29 funding, the superintendent of a state resource center may
30 authorize opening not more than two units or other facilities
31 and begin implementing the service or addressing the special
32 need during fiscal year 2012-2013.

33 Sec. 27. 2011 Iowa Acts, chapter 129, section 135, is
34 amended to read as follows:

35 SEC. 135. MI/MR/DD STATE CASES.

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1 1. There is appropriated from the general fund of the
2 state to the department of human services for the fiscal year
3 beginning July 1, 2012, and ending June 30, 2013, the following
4 amount, or so much thereof as is necessary, to be used for the
5 purpose designated:

6 For distribution to counties for state case services
7 for persons with mental illness, mental retardation, and
8 developmental disabilities in accordance with section 331.440:
9 \$ ~~6,084,741~~
10 12,169,482

11 2. For the fiscal year beginning July 1, 2012, and ending
12 June 30, 2013, ~~\$100,000~~ \$200,000 is allocated for state case
13 services from the amounts appropriated from the fund created
14 in section 8.41 to the department of human services from the
15 funds received from the federal government under 42 U.S.C. ch.
16 6A, subch. XVII, relating to the community mental health center
17 block grant, for the federal fiscal years beginning October
18 1, 2010, and ending September 30, 2011, beginning October 1,
19 2011, and ending September 30, 2012, and beginning October 1,
20 2012, and ending September 30, 2013. The allocation made in
21 this subsection shall be made prior to any other distribution
22 allocation of the appropriated federal funds.

23 3. Notwithstanding section 8.33, moneys appropriated in
24 this section that remain unencumbered or unobligated at the
25 close of the fiscal year shall not revert but shall remain
26 available for expenditure for the purposes designated until the
27 close of the succeeding fiscal year.

28 Sec. 28. 2011 Iowa Acts, chapter 129, section 137, is
29 amended to read as follows:

30 SEC. 137. SEXUALLY VIOLENT PREDATORS.

31 1. There is appropriated from the general fund of the
32 state to the department of human services for the fiscal year
33 beginning July 1, 2012, and ending June 30, 2013, the following
34 amount, or so much thereof as is necessary, to be used for the
35 purpose designated:

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1 For costs associated with the commitment and treatment of
2 sexually violent predators in the unit located at the state
3 mental health institute at Cherokee, including costs of legal
4 services and other associated costs, including salaries,
5 support, maintenance, and miscellaneous purposes, and for not
6 more than the following full-time equivalent positions:
7 \$ 3,775,363
8 9,113,668
9 FTEs 89.50
10 95.90

11 2. Unless specifically prohibited by law, if the amount
12 charged provides for recoupment of at least the entire amount
13 of direct and indirect costs, the department of human services
14 may contract with other states to provide care and treatment
15 of persons placed by the other states at the unit for sexually
16 violent predators at Cherokee. The moneys received under
17 such a contract shall be considered to be repayment receipts
18 and used for the purposes of the appropriation made in this
19 section.

20 Sec. 29. 2011 Iowa Acts, chapter 129, section 138, is
21 amended to read as follows:

22 SEC. 138. FIELD OPERATIONS. There is appropriated from the
23 general fund of the state to the department of human services
24 for the fiscal year beginning July 1, 2012, and ending June 30,
25 2013, the following amount, or so much thereof as is necessary,
26 to be used for the purposes designated:

27 For field operations, including salaries, support,
28 maintenance, and miscellaneous purposes, and for not more than
29 the following full-time equivalent positions:
30 \$ 27,394,960
31 61,915,440
32 FTEs 1,781.00

33 Priority in filling full-time equivalent positions shall be
34 given to those positions related to child protection services
35 and eligibility determination for low-income families.



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1 Notwithstanding section 8.33, moneys appropriated in this
2 section that remain unencumbered or unobligated at the close of
3 the fiscal year shall not revert but shall remain available for
4 expenditure for the purposes designated until the close of the
5 succeeding fiscal year.

6 Sec. 30. 2011 Iowa Acts, chapter 129, section 139, is
7 amended to read as follows:

8 SEC. 139. GENERAL ADMINISTRATION. There is appropriated
9 from the general fund of the state to the department of human
10 services for the fiscal year beginning July 1, 2012, and ending
11 June 30, 2013, the following amount, or so much thereof as is
12 necessary, to be used for the purpose designated:

13 For general administration, including salaries, support,
14 maintenance, and miscellaneous purposes, and for not more than
15 the following full-time equivalent positions:

16 	\$	7,298,372
17 		<u>15,841,874</u>
18 	FTEs	285.00

19 1. Of the funds appropriated in this section, ~~\$19,271~~
20 \$38,543 allocated for the prevention of disabilities policy
21 council established in section 225B.3.

22 2. The department shall report at least monthly to the
23 legislative services agency concerning the department's
24 operational and program expenditures.

25 3. Of the funds appropriated in this section, ~~\$66,150~~
26 \$132,300 shall be used to continue the contract for the
27 provision of a program to provide technical assistance,
28 support, and consultation to providers of habilitation services
29 and home and community-based services waiver services for
30 adults with disabilities under the medical assistance program.

31 4. Of the funds appropriated in this section, ~~\$88,200~~
32 \$500,000 shall be used to continue the contract to expand
33 the provision of nationally accredited and recognized
34 internet-based training to include mental health and disability
35 services providers.



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1 5. Of the funds appropriated in this section, ~~\$250,000~~
2 \$500,000 shall be used for continuation of child protection
3 system improvements addressed in 2011 Iowa Acts, ~~House File~~
4 ~~562, as enacted chapter 28.~~

5 6. Notwithstanding section 8.33, moneys appropriated in
6 this section that remain unencumbered or unobligated at the
7 close of the fiscal year shall not revert but shall remain
8 available for expenditure for the purposes designated until the
9 close of the succeeding fiscal year.

10 Sec. 31. 2011 Iowa Acts, chapter 129, section 140, is
11 amended to read as follows:

12 SEC. 140. VOLUNTEERS. There is appropriated from the
13 general fund of the state to the department of human services
14 for the fiscal year beginning July 1, 2012, and ending June 30,
15 2013, the following amount, or so much thereof as is necessary,
16 to be used for the purpose designated:

17 For development and coordination of volunteer services:

18	\$	42,330
19		<u>84,660</u>

20 PROVIDER REIMBURSEMENT — NURSING FACILITIES

21 Sec. 32. 2011 Iowa Acts, chapter 129, section 141,
22 subsection 1, paragraph a, subparagraph (1), is amended to read
23 as follows:

24 (1) For the fiscal year beginning July 1, 2012, the total
25 state funding amount for the nursing facility budget shall not
26 exceed ~~\$225,457,724~~ \$237,226,901.

27 PROVIDER REIMBURSEMENT — PHARMACY, PMICS, HOME HEALTH
28 AGENCIES, HCBS WAIVER

29 Sec. 33. 2011 Iowa Acts, chapter 129, section 141,
30 subsection 1, paragraphs b, f, i, and q, are amended to read as
31 follows:

32 b. (1) For the fiscal year beginning July 1, 2012, the
33 department shall reimburse pharmacy dispensing fees using a
34 single rate of ~~\$4.34~~ \$11.10 per prescription or the pharmacy's
35 usual and customary fee, whichever is lower. ~~However,~~

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1 ~~the department shall adjust the dispensing fee specified~~
2 ~~in this paragraph to distribute an additional \$2,981,980~~
3 ~~in reimbursements for pharmacy dispensing fees under this~~
4 ~~paragraph for the fiscal year.~~

5 (2) The department shall implement an average acquisition
6 cost reimbursement methodology for all drugs covered under the
7 medical assistance program. The methodology shall utilize a
8 survey of pharmacy invoices in determining the reimbursement.
9 Pharmacies and providers that are enrolled in the medical
10 assistance program shall make available drug acquisition cost
11 information, product availability information, and other
12 information deemed necessary by the department to assist the
13 department in monitoring and revising reimbursement rates and
14 for efficient operation of the pharmacy benefit.

15 (a) A pharmacy or provider shall produce and submit the
16 requested information in the manner and format requested by the
17 department or its designee at no cost to the department or its
18 designee.

19 (b) A pharmacy or provider shall submit information to the
20 department or its designee within the time frame indicated
21 following receipt of a request for information unless the
22 department or its designee grants an extension upon written
23 request of the pharmacy or provider.

24 f. For the fiscal year beginning July 1, 2012, reimbursement
25 rates for home health agencies shall ~~remain at~~ be increased by
26 2 percent over the rates in effect on June 30, 2012, not to
27 exceed a home health agency's actual allowable cost.

28 i. (1) For the fiscal year beginning July 1, 2012,
29 state-owned psychiatric medical institutions for children shall
30 receive cost-based reimbursement for 100 percent of the actual
31 and allowable costs for the provision of services to recipients
32 of medical assistance.

33 (2) For the nonstate-owned psychiatric medical institutions
34 for children, reimbursement rates shall be based on the
35 reimbursement methodology developed by the department as

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1 required for federal compliance.

2 (3) As a condition of participation in the medical
3 assistance program, enrolled providers shall accept the medical
4 assistance reimbursement rate for any covered goods or services
5 provided to recipients of medical assistance who are children
6 under the custody of a psychiatric medical institution for
7 children.

8 q. For the fiscal year beginning July 1, 2012, the
9 ~~department shall adjust the rates in effect on June 30, 2012,~~
10 reimbursement rates for providers of home and community-based
11 services waiver services to distribute an additional \$1,500,000
12 in reimbursements to such providers for the fiscal year shall
13 be increased by 2 percent over the rates in effect on June 30,
14 2012.

15 PROVIDER REIMBURSEMENT — FOSTER FAMILY AND GROUP FOSTER CARE

16 Sec. 34. 2011 Iowa Acts, chapter 129, section 141,
17 subsections 4 and 6, are amended to read as follows:

18 4. For the fiscal year beginning July 1, 2012,
19 notwithstanding section 234.38, the foster family basic daily
20 maintenance rate and the maximum adoption subsidy rate for
21 children ages 0 through 5 years shall be ~~\$15.74~~ \$16.37, the
22 rate for children ages 6 through 11 years shall be ~~\$16.37~~
23 \$17.02, the rate for children ages 12 through 15 years shall be
24 ~~\$17.92~~ \$18.64, and the rate for children and young adults ages
25 16 and older shall be ~~\$18.16~~ \$18.89. The maximum supervised
26 apartment living foster care reimbursement rate shall be \$25.00
27 per day. For youth ages 18 to 21 who have exited foster care,
28 the maximum preparation for adult living program maintenance
29 rate shall be \$574.00 per month. The maximum payment for
30 adoption subsidy nonrecurring expenses shall be limited to \$500
31 and the disallowance of additional amounts for court costs and
32 other related legal expenses implemented pursuant to 2010 Iowa
33 Acts, chapter 1031, section 408 shall be continued.

34 6. a. For the fiscal year beginning July 1, 2012, the
35 reimbursement rates for family-centered service providers,



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1 family foster care service providers, ~~group foster care service~~
2 ~~providers~~, and the resource family recruitment and retention
3 contractor shall remain at the rates in effect on June 30,
4 2012.

5 b. For the fiscal year beginning July 1, 2012, the
6 reimbursement rate for group foster care service providers
7 shall be increased by 4 percent over the rate in effect on June
8 30, 2012.

9 PROVIDER REIMBURSEMENT — CHILD CARE

10 Sec. 35. 2011 Iowa Acts, chapter 129, section 141,
11 subsection 10, is amended to read as follows:

12 10. For the fiscal year beginning July 1, 2012, for child
13 care providers reimbursed under the state child care assistance
14 program, the department shall set provider reimbursement
15 rates based on the rate reimbursement survey completed in
16 December 2004. Effective July 1, 2012, the child care provider
17 reimbursement rates shall ~~remain at~~ be increased by 4 percent
18 over the rates in effect on June 30, 2012. The department
19 shall set rates in a manner so as to provide incentives for a
20 nonregistered provider to become registered by applying the
21 increase only to registered and licensed providers.

22 REBASING STUDY — MEDICAID HOME HEALTH AND HCBS WAIVER SERVICE
23 PROVIDERS

24 Sec. 36. 2011 Iowa Acts, chapter 129, section 141, is
25 amended by adding the following new subsection:

26 NEW SUBSECTION. 10A. The department shall review
27 reimbursement of home health agency and home and
28 community-based services waiver services providers and shall
29 submit a recommendation for a rebasing methodology applicable
30 to such providers for the fiscal year beginning July 1, 2013,
31 and thereafter, to the individuals identified in this division
32 of this Act for receipt of reports.

33 ELDERLY WAIVER

34 Sec. 37. 2011 Iowa Acts, chapter 129, section 141, is
35 amended by adding the following new subsection:

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1 NEW SUBSECTION. 10B. The department shall increase the
2 monthly reimbursement cap for the medical assistance home and
3 community-based services waiver for the elderly to \$1,400 per
4 month.

REPORTS

6 Sec. 38. 2011 Iowa Acts, chapter 129, section 143, is
7 amended to read as follows:

8 SEC. 143. REPORTS. Any reports or other information
9 required to be compiled and submitted under this Act shall be
10 submitted to the chairpersons and ranking members of the joint
11 appropriations subcommittee on health and human services, the
12 legislative services agency, and the legislative caucus staffs
13 on or before the dates specified for submission of the reports
14 or information.

DIVISION V

HEALTH CARE ACCOUNTS AND FUNDS

PHARMACEUTICAL SETTLEMENT ACCOUNT

18 Sec. 39. 2011 Iowa Acts, chapter 129, section 145, is
19 amended to read as follows:

20 SEC. 145. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
21 appropriated from the pharmaceutical settlement account created
22 in section 249A.33 to the department of human services for the
23 fiscal year beginning July 1, 2012, and ending June 30, 2013,
24 the following amount, or so much thereof as is necessary, to be
25 used for the purpose designated:

26 Notwithstanding any provision of law to the contrary, to
27 supplement the appropriations made in this Act for medical
28 contracts under the medical assistance program for the fiscal
29 year beginning July 1, 2012, and ending June 30, 2013:

30 \$ 2,716,807

IOWACARE ACCOUNT APPROPRIATIONS — UNIVERSITY OF IOWA HOSPITALS
AND CLINICS

33 Sec. 40. 2011 Iowa Acts, chapter 129, section 146,
34 subsection 2, unnumbered paragraph 2, is amended to read as
35 follows:



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1 For salaries, support, maintenance, equipment, and
2 miscellaneous purposes, for the provision of medical and
3 surgical treatment of indigent patients, for provision of
4 services to members of the expansion population pursuant to
5 chapter 249J, and for medical education:
6 \$ ~~44,226,279~~
7 45,654,133

8 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE TEACHING HOSPITAL

9 Sec. 41. 2011 Iowa Acts, chapter 129, section 146,
10 subsection 4, unnumbered paragraph 2, is amended to read as
11 follows:

12 For distribution to a publicly owned acute care teaching
13 hospital located in a county with a population over 350,000 for
14 the provision of medical and surgical treatment of indigent
15 patients, for provision of services to members of the expansion
16 population pursuant to chapter 249J, and for medical education:
17 \$ ~~65,000,000~~
18 70,000,000

19 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE HOSPITAL

20 ALLOCATIONS

21 Sec. 42. 2011 Iowa Acts, chapter 129, section 146,
22 subsection 4, paragraphs a and b, are amended to read as
23 follows:

24 a. Notwithstanding any provision of law to the contrary,
25 the amount appropriated in this subsection shall be distributed
26 based on claims submitted, adjudicated, and paid by the Iowa
27 Medicaid enterprise plus a monthly disproportionate share
28 hospital payment. Any amount appropriated in this subsection
29 in excess of ~~\$60,000,000~~ \$65,000,000 shall be distributed only
30 if the sum of the expansion population claims adjudicated
31 and paid by the Iowa Medicaid enterprise plus the estimated
32 disproportionate share hospital payments exceeds ~~\$60,000,000~~
33 \$65,000,000. The amount paid in excess of ~~\$60,000,000~~
34 \$65,000,000 shall not adjust the original monthly payment
35 amount but shall be distributed monthly based on actual claims

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1 adjudicated and paid by the Iowa Medicaid enterprise plus
2 the estimated disproportionate share hospital amount. Any
3 amount appropriated in this subsection in excess of ~~\$60,000,000~~
4 \$65,000,000 shall be allocated only if federal funds are
5 available to match the amount allocated. Pursuant to paragraph
6 "b", of the amount appropriated in this subsection, not more
7 than \$4,000,000 shall be distributed for prescription drugs,
8 and podiatry services, and optometric services.

9 b. Notwithstanding any provision of law to the contrary,
10 the hospital identified in this subsection, shall be reimbursed
11 for outpatient prescription drugs, and podiatry services,
12 and optometric services provided to members of the expansion
13 population pursuant to all applicable medical assistance
14 program rules, in an amount not to exceed \$4,000,000.

15 IOWACARE ACCOUNT — REGIONAL PROVIDER NETWORK

16 Sec. 43. 2011 Iowa Acts, chapter 129, section 146,
17 subsection 5, unnumbered paragraph 2, is amended to read as
18 follows:

19 For payment to the regional provider network specified
20 by the department pursuant to section 249J.7 for provision
21 of covered services to members of the expansion population
22 pursuant to chapter 249J:

23 \$ 3,472,176
24 4,986,366

25 ACCOUNT FOR HEALTH CARE TRANSFORMATION

26 Sec. 44. 2011 Iowa Acts, chapter 129, section 148, is
27 amended to read as follows:

28 SEC. 148. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE
29 TRANSFORMATION — DEPARTMENT OF HUMAN SERVICES.

30 Notwithstanding any provision to the contrary, there is
31 appropriated from the account for health care transformation
32 created in section 249J.23 to the department of human services
33 for the fiscal year beginning July 1, 2012, and ending June
34 30, 2013, the following amounts, or so much thereof as is
35 necessary, to be used for the purposes designated:

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1 1. For the provision of an IowaCare nurse helpline for the
2 expansion population as provided in section 249J.6:
3 \$ 50,000
4 100,000
5 2. For other health promotion partnership activities
6 pursuant to section 249J.14:
7 \$ 300,000
8 600,000
9 3. For the costs related to audits, performance
10 evaluations, and studies required pursuant to chapter 249J:
11 \$ 62,500
12 125,000
13 4. For administrative costs associated with chapter 249J:
14 \$ 566,206
15 1,132,412
16 5. For planning and development, in cooperation with the
17 department of public health, of a phased-in program to provide
18 a dental home for children in accordance with section 249J.14:
19 \$ 500,000
20 1,000,000
21 6. For continuation of the establishment of the tuition
22 assistance for individuals serving individuals with
23 disabilities pilot program, as enacted in 2008 Iowa Acts,
24 chapter 1187, section 130:
25 \$ 25,000
26 50,000
27 7. For medical contracts:
28 \$ 1,000,000
29 2,400,000
30 8. For payment to the publicly owned acute care teaching
31 hospital located in a county with a population of over 350,000
32 that is a participating provider pursuant to chapter 249J:
33 \$ 145,000
34 290,000
35 Disbursements under this subsection shall be made monthly.

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1 The hospital shall submit a report following the close of the
2 fiscal year regarding use of the funds appropriated in this
3 subsection to the persons specified in this Act to receive
4 reports.

5 9. For transfer to the department of public health to be
6 used for the costs of medical home system advisory council
7 established pursuant to section 135.159:

8 \$ ~~116,679~~
9 233,357

10 10. For continued implementation of a uniform cost report:

11 \$ ~~75,000~~
12 150,000

13 11. For continued implementation of an electronic medical
14 records system:

15 \$ ~~50,000~~
16 100,000

17 Notwithstanding section 8.33, funds allocated in this
18 subsection that remain unencumbered or unobligated at the close
19 of the fiscal year shall not revert but shall remain available
20 in succeeding fiscal years to be used for the purposes
21 designated.

22 12. For transfer to the department of public health to
23 support the department's activities relating to health and
24 long-term care access as specified pursuant to chapter 135,
25 division XXIV:

26 \$ ~~67,107~~
27 134,214

28 13. For continuation of an accountable care organization
29 pilot project:

30 \$ ~~50,000~~
31 100,000

32 14. For the continued development of a provider payment
33 system plan to provide recommendations to reform the health
34 care provider payment system as an effective way to promote
35 coordination of care, lower costs, and improve quality:

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1 \$ 100,000

2 15. For transfer to the department of public health to
3 be used as state matching funds for the health information
4 technology ~~system~~ network developed by the department of public
5 health:

6 \$ ~~181,993~~

7 363,987

8 16. To supplement the appropriation for medical assistance:

9 \$ 1,956,245

10 Notwithstanding section 8.39, subsection 1, without the
11 prior written consent and approval of the governor and the
12 director of the department of management, the director of human
13 services may transfer funds among the appropriations made in
14 this section as necessary to carry out the purposes of the
15 account for health care transformation. The department shall
16 report any transfers made pursuant to this section to the
17 legislative services agency.

18 MEDICAID FRAUD FUND

19 Sec. 45. 2011 Iowa Acts, chapter 129, section 150, is
20 amended to read as follows:

21 SEC. 150. MEDICAID FRAUD ACCOUNT FUND — DEPARTMENT OF
22 HUMAN SERVICES. There is appropriated from the Medicaid fraud
23 account fund created in section 249A.7 to the department of
24 human services for the fiscal year beginning July 1, 2012, and
25 ending June 30, 2013, the following amount, or so much thereof
26 as is necessary, to be used for the purposes designated:

27 To supplement the appropriation made in this Act from the
28 general fund of the state to the department of human services
29 for medical assistance for the fiscal year beginning July 1,
30 2012, and ending June 30, 2013:

31 \$ 2,000,000

32 QUALITY ASSURANCE TRUST FUND

33 Sec. 46. 2011 Iowa Acts, chapter 129, section 151, is
34 amended to read as follows:

35 SEC. 151. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF

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1 HUMAN SERVICES. Notwithstanding any provision to the contrary
2 and subject to the availability of funds, there is appropriated
3 from the quality assurance trust fund created in section
4 249L.4 to the department of human services for the fiscal year
5 beginning July 1, 2012, and ending June 30, 2013, the following
6 amounts, or so much thereof as is necessary for the purposes
7 designated:

8 To supplement the appropriation made in this Act from the
9 general fund of the state to the department of human services
10 for medical assistance:
11 \$ 29,000,000
12 26,500,000

13 HOSPITAL HEALTH CARE ACCESS TRUST FUND

14 Sec. 47. 2011 Iowa Acts, chapter 129, section 152, is
15 amended to read as follows:

16 SEC. 152. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
17 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
18 the contrary and subject to the availability of funds, there is
19 appropriated from the hospital health care access trust fund
20 created in section 249M.4 to the department of human services
21 for the fiscal year beginning July 1, 2012, and ending June
22 30, 2013, the following amounts, or so much thereof as is
23 necessary, for the purposes designated:

24 1. To supplement the appropriation made in this Act from the
25 general fund of the state to the department of human services
26 for medical assistance:
27 \$ 39,223,800
28 33,898,400

29 2. For deposit in the nonparticipating provider
30 reimbursement fund created in section 249J.24A to be used for
31 the purposes of the fund:

32 \$ 776,200
33 801,600

34 MISCELLANEOUS PROVISIONS

35 Sec. 48. REPEAL. 2011 Iowa Acts, chapter 129, section 149,

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1 is repealed.

2

DIVISION VI

3

CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT

4

CONTINGENCY FUND

5

Sec. 49. CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD

6

ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE OF FUNDS —

7

FY 2011-2012.

8

1. Moneys received from the federal government through

9

the child enrollment contingency fund established pursuant

10

to section 103 of the federal Children's Health Insurance

11

Program Reauthorization Act of 2009, Pub. L. No. 111-3, are

12

appropriated to the department of human services for the fiscal

13

year beginning July 1, 2011, and ending June 30, 2012, to be

14

used in addition to any other amounts appropriated for the same

15

purposes for the fiscal year as follows:

16

a. For adoption subsidy payments and services:

17

..... \$ 2,177,355

18

b. For child care programs:

19

..... \$ 1,212,432

20

2. Notwithstanding section 8.39, and to the extent

21

that funds appropriated in this section are unexpended or

22

unobligated for the purposes specified in subsection 1, the

23

department of human services may transfer funds within or

24

between any of the appropriations made in this section for the

25

following purposes:

26

a. For adoption subsidy payments and services.

27

b. For child care assistance.

28

Sec. 50. CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD

29

ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE OF FUNDS —

30

FY 2012-2013.

31

1. a. Moneys received from the federal government through

32

the child enrollment contingency fund established pursuant

33

to section 103 of the federal Children's Health Insurance

34

Program Reauthorization Act of 2009, Pub. L. No. 111-3, are

35

appropriated to the department of human services for the fiscal

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1 year beginning July 1, 2012, and ending June 30, 2013, to be
2 used in addition to any other amounts appropriated for the same
3 purposes for the fiscal year as follows:
4 (1) For adoption subsidy payments and services:
5 \$ 5,290,441
6 (2) For child care programs:
7 \$ 7,969,021
8 (3) For mental health and disability services redesign
9 technical assistance services:
10 \$ 500,000
11 (4) For the field operations integrity claims unit:
12 \$ 961,100
13 (5) For medical assistance program reimbursement and
14 associated costs:
15 \$ 4,950,428
16 (6) For lodging expenses associated with patient care
17 provided at the university of Iowa hospital and clinics under
18 chapter 249J:
19 \$ 200,000
20 The department of human services shall establish the maximum
21 number of overnight stays and the maximum rate reimbursed for
22 overnight lodging, which may be based on the state employee
23 rate established by the department of administrative services.
24 The funds allocated under this subparagraph shall not be used
25 as nonfederal share matching funds.
26 (7) For ambulance services associated with patient care
27 provided under chapter 249J:
28 \$ 200,000
29 The department of human services shall establish
30 requirements for use of funds in this subparagraph for
31 ambulance services when no other third-party payment is
32 available. The funds allocated in this subparagraph shall not
33 be used as nonfederal share matching funds.
34 (8) For the public purpose of distribution to a statewide
35 nonprofit organization consisting of low-income housing and

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1 homelessness service providers, advocates, local governments,
2 lending institutions, and low-income and homeless individuals
3 to be used to empower low-income individuals and to increase
4 their access to affordable housing:

5 \$ 100,000

6 b. Notwithstanding section 8.39, and to the extent that
7 funds appropriated in this subsection are unexpended or
8 unobligated for the purposes specified in paragraph "a",
9 subparagraphs (1) and (2), for the fiscal year beginning July
10 1, 2012, the department of human services may transfer funds
11 within or between any of the appropriations made in this
12 subsection for the following purposes:

13 (1) For adoption subsidy payments and services.

14 (2) For child care assistance.

15 2. Moneys received from the federal government through
16 the child enrollment contingency fund established pursuant
17 to section 103 of the federal Children's Health Insurance
18 Program Reauthorization Act of 2009, Pub. L. No. 111-3, are
19 appropriated to the department of human services for the fiscal
20 year beginning July 1, 2012, and ending June 30, 2013, to be
21 used for audit settlements:

22 \$ 2,654,238

23 Notwithstanding section 8.33, moneys appropriated in this
24 subsection that remain unencumbered or unobligated at the close
25 of the fiscal year shall not revert to any other fund but shall
26 remain available for expenditure for the purposes designated
27 until the close of the succeeding fiscal year.

28 Sec. 51. EFFECTIVE DATE PROVISIONS. The section of this
29 division of this Act appropriating moneys received through the
30 federal Child Enrollment Contingency Fund for the fiscal year
31 beginning July 1, 2011, and ending June 30, 2012, being deemed
32 of immediate importance, take effect upon enactment.

33 Sec. 52. RETROACTIVE APPLICABILITY. The section of this
34 division of this Act appropriating moneys received through
35 the federal Child Enrollment Contingency Fund for the fiscal

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1 year beginning July 1, 2011, and ending June 30, 2012, applies
2 retroactively to July 1, 2011.

3 DIVISION VII

4 MENTAL HEALTH AND DISABILITY SERVICES REDESIGN

5 Sec. 53. RISK POOL APPROPRIATION FOR MEDICAL ASSISTANCE
6 PROGRAM. All moneys remaining in the risk pool of the property
7 tax relief fund on June 30, 2012, following the distributions
8 made pursuant to 2012 Iowa Acts, Senate File 2071, are
9 appropriated to the department of human services for the fiscal
10 year beginning July 1, 2012, and ending June 30, 2013, to be
11 used for the purpose designated:

12 To be credited to the appropriation made for the medical
13 assistance program in 2011 Iowa Acts, chapter 129, section 122.

14 Sec. 54. MENTAL HEALTH AND DISABILITY SERVICES REDESIGN.
15 There is appropriated from the general fund of the state to
16 the department of human services for the fiscal year beginning
17 July 1, 2012, and ending June 30, 2013, the following amount,
18 or so much thereof as is necessary, to be used for the purposes
19 designated:

20 To be used as provided in additional enactments by the
21 Eighty-fourth General Assembly, 2012 Session, for redesign of
22 county-based adult mental health and disability services:
23 \$ 24,893,762

24 DIVISION VIII

25 PRIOR APPROPRIATIONS AND RELATED CHANGES

26 INJURED VETERANS GRANT PROGRAM

27 Sec. 55. 2008 Iowa Acts, chapter 1187, section 69,
28 unnumbered paragraph 1, as amended by 2009 Iowa Acts, chapter
29 182, section 83, 2010 Iowa Acts, chapter 1192, section 56, and
30 2011 Iowa Acts, chapter 129, section 53, is amended to read as
31 follows:

32 Notwithstanding section 8.33, moneys appropriated in this
33 subsection that remain unencumbered or unobligated at the close
34 of the fiscal year shall not revert but shall remain available
35 for expenditure for the purposes designated until the close of

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1 the fiscal year beginning July 1, ~~2011~~ 2012.

2 CHILD WELFARE DECATEGORIZATION

3 FY 2009-2010 NONREVERSION

4 Sec. 56. 2009 Iowa Acts, chapter 182, section 14, subsection
5 5, unnumbered paragraph 2, as enacted by 2011 Iowa Acts,
6 chapter 129, section 55, is amended to read as follows:

7 Notwithstanding section 232.188, subsection 5, moneys from
8 the allocations made in this subsection or made from any other
9 source for the decategorization of child welfare and juvenile
10 justice funding initiative under section 232.188 for the fiscal
11 year beginning July 1, 2009, that are designated as carryover
12 funding that remain unencumbered or unobligated at the close
13 of the fiscal year beginning July 1, 2010, shall not revert
14 but shall be transferred ~~to~~ in equal amounts to the community
15 housing and services for persons with disabilities revolving
16 loan program fund created in section 16.185, as enacted by
17 this division of this 2011 Act and to the supportive and
18 residential services for individuals who meet the psychiatric
19 medical institution for children level of care competitive
20 grant program fund created in section 16.185A, as enacted by
21 this 2012 Act.

22 IOWA VETERANS HOME

23 Sec. 57. 2011 Iowa Acts, chapter 129, section 3, subsection
24 2, is amended by adding the following new paragraph:

25 NEW PARAGRAPH. d. The funds appropriated in this subsection
26 to the Iowa veterans home that remain available for expenditure
27 for the succeeding fiscal year pursuant to section 35D.18,
28 subsection 5, shall be distributed to be used in the succeeding
29 fiscal year in accordance with this lettered paragraph. The
30 first \$500,000 shall remain available to be used for the
31 purposes of the Iowa veterans home. Any remaining balance
32 shall be credited to the appropriation in this Act for the
33 fiscal year beginning July 1, 2012, for medical assistance.

34 FAMILY INVESTMENT PROGRAM — GENERAL FUND

35 Sec. 58. 2011 Iowa Acts, chapter 129, section 7, is amended

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1 by adding the following new subsection:

2 NEW SUBSECTION. 5. Notwithstanding section 8.33, moneys
3 appropriated in this section that remain unencumbered or
4 unobligated at the close of the fiscal year shall not revert
5 but shall remain available for expenditure for the purposes
6 designated until the close of the succeeding fiscal year.

7 MEDICAL ASSISTANCE

8 Sec. 59. 2011 Iowa Acts, chapter 129, section 10, subsection
9 20, paragraph d, is amended to read as follows:

10 d. If the savings to the medical assistance program exceed
11 the cost, the department may transfer any savings generated
12 for the fiscal year due to medical assistance program cost
13 containment efforts initiated pursuant to 2010 Iowa Acts,
14 chapter 1031, Executive Order No. 20, issued December 16,
15 2009, or cost containment strategies initiated pursuant
16 to this subsection, to the ~~appropriation~~ appropriations
17 made in this division of this Act for medical contracts or
18 general administration to defray the increased contract costs
19 associated with implementing such efforts.

20 BEHAVIORAL HEALTH SERVICES ACCOUNT — MEDICAL ASSISTANCE

21 Sec. 60. 2011 Iowa Acts, chapter 129, section 10, is amended
22 by adding the following new subsection:

23 NEW SUBSECTION. 26. Notwithstanding 2009 Iowa Acts,
24 chapter 182, section 9, subsection 16, paragraph "b", as
25 amended by 2010 Iowa Acts, chapter 1192, section 63, as amended
26 by 2011 Iowa Acts, chapter 129, section 54, funds in the
27 account that remain unencumbered or unobligated at the end of
28 the fiscal year beginning July 1, 2011, are appropriated to
29 the department of human services to be used for the medical
30 assistance program for the succeeding fiscal year.

31 STATE SUPPLEMENTARY ASSISTANCE

32 Sec. 61. 2011 Iowa Acts, chapter 129, section 11, is amended
33 by adding the following new subsection:

34 NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys
35 appropriated in this section that remain unencumbered or

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1 unobligated at the close of the fiscal year shall not revert
2 but shall remain available for expenditure for the purposes
3 designated until the close of the succeeding fiscal year.

4 FIELD OPERATIONS

5 Sec. 62. 2011 Iowa Acts, chapter 129, section 25, is amended
6 by adding the following new unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
8 moneys appropriated in this section that remain unencumbered or
9 unobligated at the close of the fiscal year shall not revert
10 but shall remain available for expenditure for the purposes
11 designated until the close of the succeeding fiscal year.

12 GENERAL ADMINISTRATION

13 Sec. 63. 2011 Iowa Acts, chapter 129, section 26, is amended
14 by adding the following new subsection:

15 NEW SUBSECTION. 6. Notwithstanding section 8.33, moneys
16 appropriated in this section that remain unencumbered or
17 unobligated at the close of the fiscal year shall not revert
18 but shall remain available for expenditure for the purposes
19 designated until the close of the succeeding fiscal year.

20 IOWACARE DISTRIBUTIONS

21 Sec. 64. 2011 Iowa Acts, chapter 129, section 35, subsection
22 4, paragraph a, is amended to read as follows:

23 a. Notwithstanding any provision of law to the contrary,
24 the amount appropriated in this subsection shall be distributed
25 based on claims submitted, adjudicated, and paid by the Iowa
26 Medicaid enterprise plus a monthly disproportionate share
27 hospital payment. Any amount appropriated in this subsection
28 in excess of ~~\$60,000,000~~ \$56,500,000 shall be distributed only
29 if the sum of the expansion population claims adjudicated
30 and paid by the Iowa Medicaid enterprise plus the estimated
31 disproportionate share hospital payments exceeds ~~\$60,000,000~~
32 \$56,500,000. The amount paid in excess of ~~\$60,000,000~~
33 \$56,500,000 shall not adjust the original monthly payment
34 amount but shall be distributed monthly based on actual claims
35 adjudicated and paid by the Iowa Medicaid enterprise plus

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1 the estimated disproportionate share hospital amount. Any
2 amount appropriated in this subsection in excess of ~~\$60,000,000~~
3 \$56,500,000 shall be allocated only if federal funds are
4 available to match the amount allocated. Pursuant to paragraph
5 "b", of the amount appropriated in this subsection, not more
6 than \$4,000,000 shall be distributed for prescription drugs and
7 podiatry services.

8 Sec. 65. 2011 Iowa Acts, chapter 129, section 35, subsection
9 4, paragraph d, subparagraph (2), is amended to read as
10 follows:

11 (2) Notwithstanding the amount collected and distributed
12 for deposit in the IowaCare account pursuant to section
13 249J.24, subsection 4, paragraph "a", subparagraph (2),
14 the first \$19,000,000 in collections pursuant to section
15 347.7 between January 1, 2012, and June 30, 2012, shall be
16 distributed to the treasurer of state for deposit in the
17 IowaCare account and collections during this time period in
18 excess of \$19,000,000 shall be distributed to the acute care
19 teaching hospital identified in this subsection. ~~Of the~~
20 ~~collections in excess of the \$19,000,000 received by the acute~~
21 ~~care teaching hospital under this subparagraph (2), \$2,000,000~~
22 ~~shall be distributed by the acute care teaching hospital to the~~
23 ~~treasurer of state for deposit in the IowaCare account in the~~
24 ~~month of July 2012, following the January 1 through June 30,~~
25 ~~2012, period.~~

26 Sec. 66. IMMEDIATE EFFECTIVE DATE. This division of this
27 Act, being deemed of immediate importance, takes effect upon
28 enactment.

29 Sec. 67. RETROACTIVE APPLICABILITY. The following sections
30 of this division of this Act apply retroactively to July 1,
31 2011:

32 1. The section relating to the transfer of funds from costs
33 savings under the medical assistance program to appropriations
34 for medical contracts or general administration for the fiscal
35 year beginning July 1, 2011, and ending June 30, 2012.

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1 2. The section relating to the nonreversion of
2 decategorization of child welfare and juvenile justice funds.

3 3. The section relating to the distribution of IowaCare
4 program funds.

5 DIVISION IX

6 MISCELLANEOUS

7 Sec. 68. NEW SECTION. 16.185A Supportive and residential
8 services for individuals who meet the psychiatric medical
9 institution for children level of care — competitive grant
10 program fund.

11 1. A supportive and residential services competitive
12 grant program fund is created within the authority to further
13 the availability of supportive and residential services for
14 individuals who meet the psychiatric medical institution
15 for children level of care under the medical assistance
16 program. The moneys in the fund are annually appropriated to
17 the authority to be used for the development and operation
18 of a competitive grant program to provide financing to
19 construct supportive housing or develop the infrastructure
20 in which to provide supportive services, including through
21 new construction, acquisition and rehabilitation of existing
22 housing or infrastructure, or conversion or adaptive reuse.

23 2. Moneys transferred by the authority for deposit in the
24 competitive grant program fund, moneys appropriated to the
25 competitive grant program, and any other moneys available to
26 and obtained or accepted by the authority for placement in the
27 fund shall be credited to the fund. Additionally, payment of
28 interest, recaptures of awards, and other repayments to the
29 fund shall be credited to the fund. Notwithstanding section
30 12C.7, subsection 2, interest or earnings on moneys in the fund
31 shall be credited to the fund. Notwithstanding section 8.33,
32 moneys credited to the fund from any other fund that remain
33 unencumbered or unobligated at the close of the fiscal year
34 shall not revert to the other fund.

35 3. The authority shall annually allocate moneys available

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1 in the fund for the development of supportive housing or the
2 infrastructure in which to provide supportive services for
3 individuals who meet the psychiatric medical institution for
4 children level of care under the medical assistance program.
5 Moneys allocated to such projects shall be in the form of
6 competitive grants. An application submitted shall contain a
7 commitment of at least a dollar-for-dollar match of the grant
8 assistance.

9 4. a. A project shall demonstrate written approval of the
10 project by the department of human services to the authority
11 prior to application for funding under this section.

12 b. In order to be approved by the department of human
13 services for application for funding under this section, a
14 project shall include all of the following components:

15 (1) Provision of services to individuals who meet the
16 psychiatric medical institution for children level of care
17 under the medical assistance program.

18 (2) Policies and procedures that prohibit discharge of the
19 individual from the services provided by the project provider
20 unless an alternative placement that is acceptable to the
21 client or the client's guardian is identified.

22 5. Housing provided through a project under this section is
23 exempt from the requirements of chapter 1350.

24 6. The authority, in collaboration with the department of
25 human services, shall adopt rules pursuant to chapter 17A to
26 administer this section.

27 Sec. 69. Section 97B.39, Code 2011, is amended to read as
28 follows:

29 **97B.39 Rights not transferable or subject to legal process**
30 **— exceptions.**

31 The right of any person to any future payment under this
32 chapter is not transferable or assignable, at law or in
33 equity, and the moneys paid or payable or rights existing
34 under this chapter are not subject to execution, levy,
35 attachment, garnishment, or other legal process, or to the

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1 operation of any bankruptcy or insolvency law except for the
2 purposes of enforcing child, spousal, or medical support
3 obligations or marital property orders, or for recovery of
4 medical assistance payments pursuant to section 249A.5. For
5 the purposes of enforcing child, spousal, or medical support
6 obligations, the garnishment or attachment of or the execution
7 against compensation due a person under this chapter shall
8 not exceed the amount specified in 15 U.S.C. § 1673(b).
9 The system shall comply with the provisions of a marital
10 property order requiring the selection of a particular benefit
11 option, designated beneficiary, or contingent annuitant if
12 the selection is otherwise authorized by this chapter and
13 the member has not received payment of the member's first
14 retirement allowance. However, a marital property order shall
15 not require the payment of benefits to an alternative payee
16 prior to the member's retirement, prior to the date the member
17 elects to receive a lump sum distribution of accumulated
18 contributions pursuant to section 97B.53, or in an amount that
19 exceeds the benefits the member would otherwise be eligible to
20 receive pursuant to this chapter.

21 Sec. 70. Section 135.11, Code Supplement 2011, is amended by
22 adding the following new subsection:

23 NEW SUBSECTION. 31. Administer a public awareness program
24 for human papillomavirus infection vaccination by identifying
25 medically accurate materials that contain information regarding
26 the risks associated with the various forms of the infection
27 in causing cervical cancer, and any other diseases for which
28 the department may recommend immunization or immunization
29 information, and the availability, effectiveness, and potential
30 risks of those vaccines. The department shall make the
31 identified materials available on the department's internet
32 site, provide education and training to health professionals
33 and the general public regarding the vaccines, and notify
34 each school district in the state of the availability of the
35 information. For the purposes of this subsection, "human



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1 *papillomavirus* means the group of viruses identified by the
2 centers for disease control and prevention of the United States
3 department of health and human services.

4 Sec. 71. Section 135H.10, subsection 3, Code 2011, is
5 amended by striking the subsection.

6 Sec. 72. Section 144D.4, as enacted by 2012 Iowa Acts, House
7 File 2165, section 5, is amended by adding the following new
8 subsection:

9 NEW SUBSECTION. 10. A POST form executed between July 1,
10 2008, and June 30, 2012, as part of the patient autonomy in
11 health care decisions pilot project created pursuant to 2008
12 Iowa Acts, chapter 1188, section 36, as amended by 2010 Iowa
13 Acts, chapter 1192, section 58, shall remain effective until
14 revoked or until a new POST form is executed pursuant to this
15 chapter.

16 Sec. 73. Section 225B.8, Code Supplement 2011, is amended
17 to read as follows:

18 **225B.8 Repeal.**

19 This chapter is repealed July 1, ~~2012~~ 2017.

20 Sec. 74. NEW SECTION. **231.45 Certified volunteer long-term**
21 **care resident's advocate program.**

22 1. The department shall establish a certified volunteer
23 long-term care resident's advocate program in accordance with
24 the federal Act to provide assistance to the state and local
25 long-term care resident's advocates.

26 2. The department shall develop and implement a
27 certification process for volunteer long-term care resident's
28 advocates including but not limited to an application process,
29 provision for background checks, classroom or on-site training,
30 orientation, and continuing education.

31 3. The provisions of section 231.42 relating to local
32 long-term care resident's advocates shall apply to certified
33 volunteer long-term care resident's advocates.

34 4. The department shall adopt rules pursuant to chapter 17A
35 to administer this section.

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1 Sec. 75. Section 453A.35, Code Supplement 2011, is amended
2 to read as follows:

3 **453A.35 Tax and fees paid to general fund — standing**
4 **appropriation to health care trust fund.**

5 1. ~~a. With the exception of revenues credited to the health~~
6 ~~care trust fund pursuant to paragraph "b", the~~ The proceeds
7 derived from the sale of stamps and the payment of taxes, fees,
8 and penalties provided for under this chapter, and the permit
9 fees received from all permits issued by the department, shall
10 be credited to the general fund of the state.

11 ~~b. Of the revenues generated from the tax on cigarettes~~
12 ~~pursuant to section 453A.6, subsection 1, and from the tax on~~
13 ~~tobacco products as specified in section 453A.43, subsections~~
14 ~~1, 2, 3, and 4, the first one hundred six million sixteen~~
15 ~~thousand four hundred dollars shall be credited to the health~~
16 ~~care trust fund created in section 453A.35A.~~

17 2. All permit fees provided for in this chapter and
18 collected by cities in the issuance of permits granted by the
19 cities shall be paid to the treasurer of the city where the
20 permit is effective, or to another city officer as designated
21 by the council, and credited to the general fund of the city.
22 Permit fees so collected by counties shall be paid to the
23 county treasurer.

24 Sec. 76. Section 453A.35A, subsection 1, Code Supplement
25 2011, is amended to read as follows:

26 1. A health care trust fund is created in the office of
27 the treasurer of state. The fund consists of the revenues
28 ~~generated from the tax on cigarettes pursuant to section~~
29 ~~453A.6, subsection 1, and from the tax on tobacco products~~
30 ~~as specified in section 453A.43, subsections 1, 2, 3, and 4,~~
31 ~~that are credited to the health care trust fund, annually,~~
32 ~~pursuant to section 453A.35 derived from the sale of stamps~~
33 ~~and the payment of taxes, fees, and penalties provided for~~
34 ~~under this chapter, and the permit fees received from all~~
35 ~~permits issued by the department.~~ Moneys in the fund shall be

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1 separate from the general fund of the state and shall not be
2 considered part of the general fund of the state. However, the
3 fund shall be considered a special account for the purposes
4 of section 8.53 relating to generally accepted accounting
5 principles. Moneys in the fund shall be used only as specified
6 in this section and shall be appropriated only for the uses
7 specified. Moneys in the fund are not subject to section 8.33
8 and shall not be transferred, used, obligated, appropriated,
9 or otherwise encumbered, except as provided in this section.
10 Notwithstanding section 12C.7, subsection 2, interest or
11 earnings on moneys deposited in the fund shall be credited to
12 the fund.

13 DIVISION X

14 DIRECT CARE PROFESSIONALS

15 Sec. 77. NEW SECTION. 152F.1 Definitions.

16 As used in this chapter, unless the context otherwise
17 requires:

18 1. "*Board*" means the board of direct care professionals
19 created under chapter 147.

20 2. "*Community living professional*" means a direct care
21 associate who has completed advanced training and is certified
22 to provide home and community living, instrumental activities
23 of daily living, and personal support services.

24 3. "*Direct care associate*" means an individual who has
25 completed core training and is certified to provide direct care
26 services in the state.

27 4. "*Direct care instructor*" means an individual approved
28 by the board to provide direct care instruction to direct care
29 professionals.

30 5. "*Direct care professional*" means an individual who
31 provides direct care services for compensation and is a direct
32 care associate, a community living professional, a health
33 support professional, or a personal support professional.

34 6. "*Direct care services*" means the services provided to
35 individuals who are ill or individuals with disabilities as

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1 specified in the individual's service plan or in documented
2 goals, including but not limited to home and community living
3 services, instrumental activities of daily living services,
4 personal activities of daily living services, personal support
5 services, and health monitoring and maintenance services.

6 7. *"Direct care trainer"* means a direct care instructor who
7 is approved by the board to train instructors.

8 8. *"Health monitoring and maintenance services"* means
9 medically-oriented services that assist an individual in
10 maintaining the individual's health including measuring intake
11 and output; providing catheter and ostomy care; collecting
12 specimens; checking vital signs, including temperature, pulse,
13 respiration, and blood pressure; measuring height and weight;
14 performing range of motion exercises; providing assistance with
15 urinary care; and application of thrombo embolic deterrent hose
16 or hot and cold packs.

17 9. *"Health support professional"* means a direct care
18 associate who has completed advanced training and is certified
19 to provide personal activities of daily living and health
20 monitoring and maintenance services or a direct care associate
21 who has met the federal nurse aide requirements pursuant to 42
22 C.F.R. § 483.152.

23 10. *"Home and community living services"* means services to
24 enhance or maintain independence of individuals including such
25 activities as helping individuals develop and meet personal
26 goals, providing direct physical and emotional support and
27 assistance for persons with disabilities, utilizing crisis
28 intervention and positive behavior supports, and using and
29 following individual support plans.

30 11. *"Instrumental activities of daily living services"* means
31 services provided to assist individuals with daily living tasks
32 to allow them to function independently in a home or community
33 setting, including but not limited to assistance with managing
34 money, transportation, light housekeeping, and shopping and
35 cooking.



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1 12. *"Personal activities of daily living services"* means
2 services to assist individuals in meeting basic needs,
3 including but not limited to bathing, back rubs, and skin care;
4 grooming activities; assistance with dressing and undressing;
5 assistance with eating and feeding; assistance with toileting;
6 and assistance with mobility, including transfers, walking, and
7 turning in bed.

8 13. *"Personal support professional"* means a direct care
9 associate who has completed advanced training and is certified
10 to provide instrumental activities of daily living, personal
11 activities of daily living, and personal support services.

12 14. *"Personal support services"* means support services
13 provided to an individual as the individual performs personal
14 activities of daily living including but not limited to
15 coaching and prompting, and teaching skills and behaviors.

16 15. *"Service plan"* means a written, consumer-centered,
17 outcome-based plan of services.

18 16. *"Specialty endorsement"* means an advanced level of
19 certification based on requirements developed by experts in a
20 particular discipline or professional area and approved by the
21 board.

22 Sec. 78. NEW SECTION. 152F.2 Certification required —
23 exceptions — use of title.

24 1. Unless otherwise exempt under section 152F.4, beginning
25 January 1, 2014, an individual shall not provide direct care
26 services in this state without being certified as a direct care
27 associate.

28 2. An individual who is not certified pursuant to this
29 chapter shall not use words or titles which imply or represent
30 that the individual is certified as a direct care professional
31 under this chapter.

32 3. A direct care associate shall not act as or represent
33 that the individual is a direct care professional with advanced
34 training certification or a specialty endorsement, unless the
35 direct care associate is first certified at the appropriate

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1 level of certification under this chapter.

2 4. Notwithstanding any provision to the contrary, an
3 individual who completes advanced training or meets the
4 requirements for a specialty endorsement is not required to
5 be certified at that level if the individual does not act as
6 or represent that the individual is certified at that level.
7 Section 147.83 does not apply to a direct care associate who
8 is not certified as a direct care professional with advanced
9 training certification or a specialty endorsement if the direct
10 care associate does not act as or represent that the individual
11 is certified at that level.

12 Sec. 79. NEW SECTION. 152F.3 Requirements to obtain
13 certification — renewal — continuing education — reciprocity.

14 1. An applicant for certification as a direct care associate
15 shall present evidence satisfactory to the board that the
16 applicant meets all of the following requirements:

17 a. The applicant has successfully completed the required
18 education for the certification from a board-approved direct
19 care instructor or direct care trainer.

20 b. The applicant has paid all fees required by the board.

21 c. The applicant certifies that the applicant will conduct
22 all professional activities in accordance with standards for
23 professional conduct established by the board.

24 2. An applicant for certification as a direct care
25 professional with advanced training or a specialty endorsement
26 shall present evidence satisfactory to the board that the
27 applicant meets all of the following requirements:

28 a. The applicant has successfully completed the required
29 education for the certification from a board-approved direct
30 care instructor or direct care trainer.

31 b. The applicant has paid all fees required by the board.

32 c. The applicant has passed a state examination approved by
33 the board.

34 d. The applicant certifies that the applicant will conduct
35 all professional activities in accordance with standards for

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1 professional conduct established by the board.

2 3. An individual shall renew the individual's certification
3 biennially. Prior to such renewal, the individual shall
4 present evidence that the individual has satisfied continuing
5 education requirements and shall pay a renewal fee as
6 determined by the board.

7 4. The board shall issue the appropriate certification to an
8 applicant who demonstrates experience in direct care services
9 in another state and meets the requirements established by the
10 board for the specific certification.

11 Sec. 80. NEW SECTION. 152F.4 **Scope of chapter.**

12 1. The provisions of this chapter do not apply to any of the
13 following:

14 a. An individual who is providing direct care services
15 and is governed by a collective bargaining agreement in place
16 before July 1, 2017, until the expiration of such agreement.

17 b. An individual providing direct care services to a family
18 member.

19 c. An individual otherwise licensed who is operating within
20 the scope of that license and who does not represent to the
21 public that the individual is a direct care professional.

22 2. This chapter shall not be interpreted to preclude
23 an individual who provides direct care services but is not
24 otherwise required to be certified under this chapter from
25 being certified under this chapter on a voluntary basis.

26 Sec. 81. NEW SECTION. 152F.5 **Duties of the board.**

27 The board shall do all of the following:

28 1. Adopt rules consistent with this chapter, chapter
29 147, chapter 272, and the recommendations of the direct care
30 worker advisory council established pursuant to 2008 Iowa
31 Acts, chapter 1188, section 69, which are necessary for the
32 performance of its duties.

33 2. Adopt rules to provide a transition process that allows
34 individuals providing direct care services on or before January
35 1, 2014, who are subject to the certification requirements

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1 of this chapter, to continue providing direct care services
2 while completing certification under this chapter. The rules
3 shall provide that certification requirements for an individual
4 subject to the transition process are based on consideration
5 of previous training, employment history, and experience. An
6 individual subject to the transition process shall complete the
7 requirements for direct care associate certification within a
8 time frame determined by rule of the board.

9 3. Establish curriculum requirements for health support
10 professionals. The curriculum requirements established shall
11 not exceed the curriculum requirements specified for nurse
12 aides pursuant to 42 C.F.R. § 483.152, without prior approval
13 of sixty percent of the members of the board and prior approval
14 of the department of inspections and appeals.

15 4. Require an individual to undergo criminal history
16 and child and dependent adult abuse record checks prior
17 to certification, and establish record checks requirements
18 applicable to direct care professionals consistent with section
19 135C.33.

20 5. Establish dependent adult abuse reporting and training
21 requirements consistent with chapters 235B and 235E, as
22 applicable.

23 6. Establish standards and guidelines for certification
24 reciprocity.

25 7. Establish standards and guidelines for direct care
26 professionals, including minimum curriculum requirements.

27 8. Prepare and conduct, or prescribe, an examination for
28 applicants for certification.

29 9. Establish standards and guidelines for direct care
30 instructors and direct care trainers, including minimum
31 curriculum requirements and continuing education requirements.
32 Training and continuing education guidelines shall provide
33 diverse options for completion of the training and continuing
34 education, as appropriate, including but not limited to online,
35 employer-based, or educational institution-based opportunities.

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1 10. Define educational activities which fulfill continuing
2 education requirements for renewal of certification.

3 11. Establish guidelines for inactive certification status
4 and inactive certification reentry.

5 Sec. 82. NEW SECTION. 152F.6 Certification suspension and
6 revocation.

7 A certification issued by the board under this chapter may be
8 suspended or revoked, or renewal of certification may be denied
9 by the board, for violation of any provision of this chapter,
10 section 147.55 or 272C.10, or rules adopted by the board.

11 Sec. 83. Section 10A.402, subsection 1, Code 2011, is
12 amended to read as follows:

13 1. Investigations relative to the practice of regulated
14 professions and occupations, except those within the
15 jurisdiction of the board of medicine, the board of pharmacy,
16 the dental board, ~~and~~ the board of nursing, and the board of
17 direct care professionals.

18 Sec. 84. Section 135.11A, Code 2011, is amended to read as
19 follows:

20 135.11A Professional licensure division — other licensing
21 boards — expenses — fees.

22 1. There shall be a professional licensure division within
23 the department of public health. Each board under chapter 147
24 or under the administrative authority of the department, except
25 the board of nursing, board of medicine, dental board, ~~and~~
26 board of pharmacy, and board of direct care professionals shall
27 receive administrative and clerical support from the division
28 and may not employ its own support staff for administrative and
29 clerical duties.

30 2. The professional licensure division and the licensing
31 boards may expend funds in addition to amounts budgeted, if
32 those additional expenditures are directly the result of actual
33 examination and exceed funds budgeted for examinations. Before
34 the division or a licensing board expends or encumbers an
35 amount in excess of the funds budgeted for examinations, the

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1 director of the department of management shall approve the
2 expenditure or encumbrance. Before approval is given, the
3 department of management shall determine that the examination
4 expenses exceed the funds budgeted by the general assembly
5 to the division or board and the division or board does not
6 have other funds from which examination expenses can be paid.
7 Upon approval of the department of management, the division
8 or licensing board may expend and encumber funds for excess
9 examination expenses. The amounts necessary to fund the excess
10 examination expenses shall be collected as fees from additional
11 examination applicants and shall be treated as repayment
12 receipts as defined in section 8.2.

13 Sec. 85. Section 135.31, Code 2011, is amended to read as
14 follows:

15 **135.31 Location of boards — rulemaking.**

16 The offices for the board of medicine, the board of pharmacy,
17 the board of nursing, ~~and the dental board, and the board~~
18 of direct care professionals shall be located within the
19 department of public health. The individual boards shall have
20 policymaking and rulemaking authority.

21 Sec. 86. Section 147.1, subsections 3 and 6, Code 2011, are
22 amended to read as follows:

23 3. *"Licensed" or "certified"*, when applied to a physician
24 and surgeon, podiatric physician, osteopathic physician and
25 surgeon, physician assistant, psychologist, chiropractor,
26 nurse, dentist, dental hygienist, dental assistant,
27 optometrist, speech pathologist, audiologist, pharmacist,
28 physical therapist, physical therapist assistant, occupational
29 therapist, occupational therapy assistant, respiratory care
30 practitioner, practitioner of cosmetology arts and sciences,
31 practitioner of barbering, funeral director, dietitian, marital
32 and family therapist, mental health counselor, social worker,
33 massage therapist, athletic trainer, acupuncturist, nursing
34 home administrator, hearing aid dispenser, ~~or~~ sign language
35 interpreter or transliterator, or direct care professional

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1 means a person licensed under this subtitle.

2 6. "*Profession*" means medicine and surgery, podiatry,
3 osteopathic medicine and surgery, practice as a physician
4 assistant, psychology, chiropractic, nursing, dentistry,
5 dental hygiene, dental assisting, optometry, speech pathology,
6 audiology, pharmacy, physical therapy, physical therapist
7 assisting, occupational therapy, occupational therapy
8 assisting, respiratory care, cosmetology arts and sciences,
9 barbering, mortuary science, marital and family therapy, mental
10 health counseling, social work, dietetics, massage therapy,
11 athletic training, acupuncture, nursing home administration,
12 hearing aid dispensing, ~~or~~ sign language interpreting or
13 transliterating, or practice as a direct care professional.

14 Sec. 87. Section 147.2, subsection 1, Code 2011, is amended
15 to read as follows:

16 1. A person shall not engage in the practice of medicine
17 and surgery, podiatry, osteopathic medicine and surgery,
18 psychology, chiropractic, physical therapy, physical therapist
19 assisting, nursing, dentistry, dental hygiene, dental
20 assisting, optometry, speech pathology, audiology, occupational
21 therapy, occupational therapy assisting, respiratory care,
22 pharmacy, cosmetology arts and sciences, barbering, social
23 work, dietetics, marital and family therapy or mental health
24 counseling, massage therapy, mortuary science, athletic
25 training, acupuncture, nursing home administration, hearing aid
26 dispensing, or sign language interpreting or transliterating,
27 or shall not practice as a physician assistant or as a direct
28 care professional, unless the person has obtained a license for
29 that purpose from the board for the profession.

30 Sec. 88. Section 147.13, Code 2011, is amended by adding the
31 following new subsection:

32 NEW SUBSECTION. 24. For direct care professionals, the
33 board of direct care professionals.

34 Sec. 89. Section 147.14, subsection 1, Code 2011, is amended
35 by adding the following new paragraph:

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1 NEW PARAGRAPH. *x.* For the board of direct care
2 professionals, a total of eleven members, six of whom are
3 direct care professionals who represent diverse settings and
4 populations served, two members of the public, one registered
5 nurse who serves as a direct care instructor, one human
6 services professional who serves as a direct care instructor,
7 and one licensed nursing home administrator.

8 Sec. 90. Section 147.74, Code 2011, is amended by adding the
9 following new subsection:

10 NEW SUBSECTION. 24. A direct care professional certified
11 under chapter 152F and this chapter may use the following:

12 *a.* A direct care professional certified as a direct care
13 associate may use the title "direct care associate" or the
14 letters "D.C.A." after the person's name.

15 *b.* A direct care professional certified as a community
16 living professional may use the title "community living
17 professional" or the letters "C.L.P." after the person's name.

18 *c.* A direct care professional certified as a personal
19 support professional may use the title "personal support
20 professional" or the letters "P.S.P." after the person's name.

21 *d.* A direct care professional certified as a health support
22 professional may use the title "health support professional" or
23 the letters "H.S.P." after the person's name.

24 *e.* A direct care professional certified with a specialty
25 endorsement may use the title or letters determined by the
26 specialty endorsement entity and approved by the board of
27 direct care professionals.

28 *f.* A direct care professional who complies with federal
29 nurse aide requirements pursuant to 42 C.F.R. § 483.152 may use
30 the title "certified nursing assistant" or the letters "C.N.A."
31 after the person's name.

32 Sec. 91. Section 147.80, subsection 3, Code 2011, is amended
33 to read as follows:

34 3. The board of medicine, the board of pharmacy, the dental
35 board, ~~and~~ the board of nursing, and the board of direct care

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1 professionals shall retain individual executive officers, but
2 shall make every effort to share administrative, clerical, and
3 investigative staff to the greatest extent possible.

4 Sec. 92. Section 147.88, Code 2011, is amended to read as
5 follows:

6 **147.88 Inspections and investigations.**

7 The department of inspections and appeals may perform
8 inspections and investigations as required by this subtitle,
9 except inspections and investigations for the board of
10 medicine, board of pharmacy, board of nursing, ~~and~~ the dental
11 board, and the board of direct care professionals. The
12 department of inspections and appeals shall employ personnel
13 related to the inspection and investigative functions.

14 Sec. 93. Section 272C.1, subsection 6, Code 2011, is amended
15 by adding the following new paragraph:

16 NEW PARAGRAPH. *ag.* The board of direct care professionals,
17 created pursuant to chapter 147.

18 Sec. 94. TRANSITION PROVISIONS.

19 1. An individual providing direct care services on or
20 before January 1, 2014, who is subject to the certification
21 requirements of this division of this Act, may continue
22 providing direct care services while completing certification
23 as required under this division of this Act. The board of
24 direct care professionals shall adopt rules to provide that
25 certification requirements for an individual subject to the
26 transition process are based on consideration of previous
27 training, employment history, and experience, and require
28 such individuals to complete the requirements for direct care
29 associate certification within the time frame determined by
30 rule of the board.

31 2. An individual who is registered on or before January
32 1, 2014, on the Iowa direct care worker registry established
33 by the department of inspections and appeals, is deemed to
34 meet the certification requirements for a health support
35 professional under this division of this Act.



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1 3. Notwithstanding sections 147.14 and 147.16, for the
2 initial board of direct care professionals, the governor may
3 appoint, subject to confirmation by the senate, in lieu of the
4 six members required to be direct care professionals and the
5 two members required to be direct care instructors, members
6 with experience and expertise that is substantially equivalent
7 to the professional requirements for a direct care professional
8 or direct care instructor, as applicable.

9 Sec. 95. IMPLEMENTATION. The provisions of this division of
10 this Act shall be implemented as follows:

11 1. The sections of this division of this Act relating to
12 the board of direct care professionals including sections
13 152F.1 and 152F.5, as enacted in this division of this Act;
14 sections 10A.402, 135.11A, 135.31, 147.13, 147.14, 147.80,
15 147.88, and 272C.1, as amended in this division of this Act,
16 and as specified in the transition provisions; and the section
17 of this division of this Act providing transition provisions
18 relating to the board shall be implemented so that a board of
19 direct care professionals is appointed no later than December
20 15, 2012.

21 2. The sections of this division of this Act relating to
22 requirements for certification of direct care professionals
23 including sections 152F.2, 152F.3, 152F.4, and 152F.6, as
24 enacted in this division of this Act; and sections 147.1,
25 147.2, and 147.74, as amended in this division of this Act,
26 shall be implemented so that the requirements are applicable
27 beginning no later than January 1, 2014.

28 Sec. 96. FUNDING PROVISIONS.

29 1. The department of public health shall limit the indirect
30 service charge for the board of direct care professionals to
31 not more than fifteen percent.

32 2. It is the intent of the general assembly that the board
33 of direct care professionals be self-sustaining by January 1,
34 2017.

35 Sec. 97. EFFECTIVE UPON ENACTMENT. This division of this

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1 Act, being deemed of immediate importance, takes effect upon
2 enactment.

3 EXPLANATION

4 This bill relates to appropriations for health and human
5 services for fiscal year 2012-2013 to the department of
6 veterans affairs, the Iowa veterans home, the department on
7 aging, the department of public health, Iowa finance authority,
8 state board of regents, department of inspections and appeals,
9 and the department of human services. The appropriations were
10 previously enacted in 2011 Iowa Acts, chapter 129 (H.F. 649).
11 The bill is organized into divisions.

12 DEPARTMENT ON AGING. This division amends appropriations
13 made from the general fund of the state for the department on
14 aging.

15 DEPARTMENT OF PUBLIC HEALTH. This division amends
16 appropriations made from the general fund of the state for the
17 department of public health.

18 DEPARTMENT OF VETERANS AFFAIRS. This division amends
19 appropriations made from the general fund of the state for the
20 department of veterans affairs.

21 DEPARTMENT OF HUMAN SERVICES. This division amends
22 appropriations made from the general fund of the state and the
23 federal temporary assistance for needy families block grant to
24 the department of human services (DHS). The allocation for the
25 family development and self-sufficiency grant program is made
26 directly to the department of human rights.

27 Appropriations are made from the health care trust fund for
28 the medical assistance (Medicaid) program in addition to the
29 general fund appropriations made for this purpose.

30 The reimbursement section addresses reimbursement for
31 providers reimbursed by the department of human services.

32 HEALTH CARE ACCOUNTS AND FUNDS. This division amends
33 appropriations made for fiscal year 2012-2013.

34 The appropriation from the pharmaceutical settlement account
35 to the department of human services supplements the Medicaid

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1 program medical contracts appropriation.

2 The appropriations from the IowaCare account are made to
3 the state board of regents for distribution to the university
4 of Iowa hospitals and clinics and to the department of human
5 services for distribution to a publicly owned acute care
6 teaching hospital in a county with a population over 350,000
7 related to the IowaCare program and indigent care.

8 The appropriation from the nonparticipating provider
9 reimbursement fund is made to the department of human services
10 to reimburse nonparticipating providers under the IowaCare
11 program.

12 The appropriations to the department of human services from
13 the account for health care transformation are directed to
14 various health care reform initiatives.

15 The appropriation from the Medicaid fraud fund is made to
16 the department of inspections and appeals for costs relating to
17 assisted living programs and adult day care services.

18 The appropriations made to supplement the Medicaid program
19 are from the following funds and account: quality assurance
20 trust fund, hospital health care access trust fund, and
21 Medicaid fraud fund.

22 MENTAL HEALTH AND DISABILITY SERVICES REDESIGN. This
23 division addresses appropriations associated with redesign of
24 mental health and disability services redesign.

25 PRIOR APPROPRIATIONS AND RELATED CHANGES. This division
26 revises appropriations and related provisions involving
27 previous fiscal years. The division takes effect upon
28 enactment.

29 CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT
30 CONTINGENCY FUND. This division makes appropriations provided
31 through the federal child enrollment contingency fund to the
32 department of human services for fiscal years 2011-2012 and
33 2012-2013. The section making appropriations for fiscal year
34 2011-2012 takes effect upon enactment and is retroactively
35 applicable to July 1, 2011.



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1 MISCELLANEOUS. This division provides miscellaneous
2 statutory amendments.

3 New Code section 16.185A creates a competitive grant program
4 and fund to further the availability of residential services
5 for individuals who meet the psychiatric medical institution
6 for children level of care.

7 Code section 97B.39, relating to Iowa public employees'
8 retirement system (IPERS) payments, is amended to include
9 recovery of Medicaid program payments related to estate
10 recovery in the list of exceptions that allow IPERS payments
11 to be subject to execution, levy, attachment, garnishment,
12 or other legal process, or to the operation of bankruptcy or
13 insolvency law.

14 Code section 135.11, relating to the duties of the director
15 of public health, is amended to add new subsection 31,
16 requiring the director to administer a public awareness program
17 for human papillomavirus infection vaccination.

18 Code section 135H.10, relating to administrative rules
19 addressing psychiatric medical institutions for children
20 (PMICs) is amended to strike a prohibition against the
21 department of human services including services provided by
22 PMICs in any managed care contract.

23 Code section 144D.4, as enacted by 2012 Iowa Acts, House File
24 2165, section 5, is amended to allow physician orders for scope
25 of treatment executed under a pilot project to remain effective
26 until revoked or until a new form is executed.

27 Code section 225B.8, relating to the prevention of
28 disabilities council, is amended to extend the repeal of the
29 council from July 1, 2012, until July 1, 2017.

30 Code section 231.45 is enacted to direct the department
31 on aging to establish a certified volunteer long-term care
32 resident's advocate program.

33 Code sections 453A.35 and 453A.35A are amended to provide
34 that all of the proceeds derived from the sale of stamps and
35 the payment of taxes, fees, and penalties under Code chapter

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1 453A (cigarette and tobacco taxes) and from permits issued by
2 the department of revenue are to be credited to the health care
3 trust fund rather than the general fund of the state.

4 DIRECT CARE PROFESSIONALS. This division establishes a
5 board of direct care professionals within the department of
6 public health and provides for certification of direct care
7 professionals in the state.



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Senate Study Bill 3202 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON BOLKCOM)

A BILL FOR

1 An Act increasing the amount available for allocation to the
2 brownfields and grayfields redevelopment tax credits under
3 the aggregate tax credit limit and including effective date
4 provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 15.119, subsection 3, Code Supplement
2 2011, is amended to read as follows:

3 3. In allocating the amount of tax credits authorized
4 pursuant to subsection 1 among the programs specified in
5 subsection 2, the authority shall not allocate more than ~~five~~
6 ten million dollars for purposes of subsection 2, paragraph `h`.

7 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
8 immediate importance, takes effect upon enactment.

9 EXPLANATION

10 This bill increases from \$5 million to \$10 million the
11 amount of tax credits that the economic development authority
12 may annually allocate under its aggregate tax credit limit in
13 Code section 15.119 to the redevelopment tax credit program
14 for brownfields and grayfields. The bill takes effect upon
15 enactment.